The New-York Times.

VOL. XVIII......NO. 5426. NEW-YORK, FRIDAY, FEBRUARY 12, 1869.—TRIPLE SHEET. PRICE FOUR CENTS.

CONCERNING CRIME.

Its Boldness, Impunity and Frequency in the City.

Remissness of the Police and Partiality of the Magistracy.

Defective and Cumbrous Machinery of the Law.

Fossilized Administration of the Metropolitan Police System.

THE SHAM DETECTIVE ORGANIZATION.

Necessity of an Amended Criminal Code—Prompt Dealing with Offenders, and an Increased and Reorganized Police.

The public mind is now profoundly stirred concerning crime in this City,—its alleged increase, its extraordinary boldness, and the apparent immunity from punishment of the worst offenders.

The agitation and alarm are by no means groundless. There is more or less truth in every count of this indictment against the fair fame of the City and the officers who are charged with the administration of the laws. It behooves us, therefore, to investigate impartially the causes of this untoward state of affairs, and, as far as possible, to suggest the remedies.

THE INCREASE OF CRIME.

First, with regard to the prevalence and increase of crime. That such is the fact there is no room to doubt. It is admitted both by the Magistracy and the Police.

It seems to be generally conceded that the most effective method of suppressing crime is to promptly convict and severely punish the offenders. Indeed, the past furnishes many illustrations of the effect of prompt justice in the checking of crime. We need give but one illustration. The majority of our readers will remember how that species of highway robbery, known as "garroting," which was rife in this country and in England seven or eight years ago, was "stamped out" by a vigorous prosecution of the practitioners of this crime, and by visiting them with a severe penalty upon conviction. This particular offence made its appearance during the Winter months, which invariably are most prolific of crime. Scarcely a day occurred without two or three cases. Frequently the "garroters," not content with half strangling their victims in order to effect the robbery, brutally injured them while lying senseless. For some time the sentences pronounced in cases of conviction were very light,—from two to five years' imprisonment. Garroting continued to increase. Finally, Judge RUSSEL, of this City, and Baron BRAMWELL, of London, adopted the harshest measures in dealing with this crime. The one Magistrate sentenced several of this sort of ruffians to the State Prison for terms of from ten to forty years; and the other, about the same time, sentenced a batch of "garroters" to terms of from seven to twenty years' imprisonment.

Garroting at once ceased.

Similar vigor exercised at the present juncture will unquestionably produce a similar result. Let criminals understand that the penalties of the law will be dealt upon them at all times swiftly and surely, and they will soon be stricken with terror.

It is consolatory to know that the criminal authorities, judging from the sentences of a few days past, have at last come to this conclusion.

THE CHARACTER OF CRIME.

There is something encouraging in the fact that notwithstanding the prevalence of crime and its undoubted increase, the heinousness of offences in the scale of moral culpability has of late years diminished. In view of the recent offences of extraordinary boldness, this assertion to most minds will appear untrue. But it is susceptible of perfect demonstration. The Police returns for the year 1868 exhibit the enormous aggregate of 78,451 persons as having been taken into custody in the four counties, numbering a population of about one million five hundred thousand souls, which comprise the Metropolitan Police District.

When we come to analyze the character of these offences, (taking the returns for the past five or six years,) we will find that while it is an incontrovertible fact that crime has steadily increased in the district during the time in question, there has been a wonderful decline in offences of the gravest nature.

We will discover that forgeries—a crime which was of the most frequent occurrence a few years ago—have almost entirely disappeared from the list of offences.

Street brawls, which were notoriously common in the palmy days of the old Fire Department, are now seldom known.

Pocket-picking, which was practiced assiduously on the street-cars, at the theatres, and wherever a large crowd was collected, as a distinct branch of roguery, has been pretty effectually suppressed.

MURDERS AND HOMICIDES.

Contrary to popular belief, there have been few cases of willful, revengeful murder—murder with malice aforethought—in this City for many years. The statistics show, as a general thing, that murder in this City has sprung from hot blood rather than malice, and, as a consequence, has been openly and clumsily done.

Take the recent case of Mr. ROGERS as an illustration. It fully indicates, it is true, the boldness of the present-day criminals, but it was clearly no instance of malicious murder. It would doubtless be classed under the common law with the great majority of cases that have occurred in this City as a "chance medley homicide." We can only recall of late years a few instances of willful, downright murder. The most notorious crime of this sort was that in Bond-street, of Dr. BURDELL. In addition to this, the cases may be mentioned of Dr. LEUTNER, the oculist, in 1864; of BURKE, a porter in a store at the corner of Broadway and White-street, in 1866, and more recently the case of REAL, the murderer of Policeman SMEDICK, who was yesterday sentenced to be hung.

Indeed, on a close examination of the records of the Coroner's office, it will be found that there is a widespread popular misapprehension in regard, not only to the grade of the murders on record, but also in respect to the frequency of this crime since the organization of the Metropolitan Police force.

Such an examination will not show, however, that, as a detective force, the present Police is an improvement upon the Police which it superseded.

Let us cite the statistics. In the year 1856 there were 38 homicides, and in 11 of these cases the murderer was not arrested.

In 1857 there were 55 homicides, and in 15 of these cases the murderer escaped arrest.

Omitting the year 1858, when the present Police force was in process of organization, and so labored under the disadvantage of imperfect machinery, we will instance the years 1859, in which there occurred 51 homicides; in 1860, when there were 47; 1861, when there were 53, and 1862, when there were 44. In each of these years 15 of these murderers escaped arrest. In other words, in about one case in four the Police failed to detect the assassin, and the Coroners' juries were compelled to find verdicts that the deceased came to their death at the hands of persons unknown.

The record of succeeding years is scarcely better, as in 1867, out of 54 homicides, in 10 cases the stereotyped verdict of "death at the hands of persons unknown" was rendered; and in 1868 there were 48 murders, and in 9 cases the perpetrator of the crime escaped detection.

A DISCREDITABLE EXHIBIT FOR THE POLICE.

Summarizing the entire term of service of the present Police force, we have the fact that during that time, about ten years, there, have been, according to the Coroners' books, no less than 332 deaths by violence in this City alone, and in *one hundred and thirty-one* of these cases the Police have failed to discover the guilty persons. We find, therefore, that in a little more than one-fifth of the entire number of homicides the Police have fallen short of the duty imposed upon them of arresting the murderers at the time of the commission of the offence.

It must be taken into consideration, also, that in collating these figures only evident and undisputed homicides have been taken into account. In addition to the 332 homicides there are on the Coroners' books hundreds of verdicts of "death from causes unknown," or "supposed drowning," behind many of which the work of the murderer is undoubtedly hidden. As there are no means of verifying this belief, all such cases have been rejected, and only those instances counted where the evidence was emphatic that death had been caused by violence inflicted by human agency.

Moreover, it does not help the case for the Police to know that of 131 undetected murders 50 were infanticides. These latter were almost invariably cases of child-murder where the bodies were found in vaults of houses, and in which it might with reason be supposed that the detective would have no very hard task in bringing the guilt home.

Nor have the Police had, as a rule, any cases of homicide where ordinary diligence and acumen might not have detected the criminal. As we have stated, there have been comparatively few instances of vindictive and secret murder. Hence the Police have rarely been driven, as in the Rogers case, to work exclusively on circumstantial evidence, which is a fact that may be placed to the credit of the community, as the detectives have seldom accomplished anything when they have had to rely solely upon the clues afforded by circumstances. In this connection it is pertinent to cite one late instance—that of THOMAS F. LAVELLE, a conductor on the Seventh-avenue Railroad, who was stabbed on his car in Church-street, on the evening of Feb. 17, 1868. The act was instantly known to the Police, who carried the wounded man to the New-York Hospital, where he died the same evening. This was far from being a case of extraordinary difficulty, but the murderer has not been found out, and if the Police have made any effort whatever to arrest him, they have never claimed credit for it.

This exhibit, therefore, while it gives us the information that homicides and affrays resulting in death, have been less frequent in this City than has been generally supposed, also shows most strikingly the incapacity or inactivity of the detective branch of the Metropolitan Police system, and flies in the face of the tradition that "murder will out."

THE PUNISHMENT OF MURDERERS.

While discussing this question of murder, it is proper to explain, as far as the matter admits of explanation, the reason that murderers and persons guilty of homicide are held so long in custody before they are brought to trial, and how they often escape with what is believed to be an entirely inadequate punishment.

The trouble can be for the most part directly traced to what are confessedly defects in our criminal laws and to the cumbrous machinery of justice, the aim of which seems to be to afford offenders of every sort all possible facilities for escaping their deserts.

For instance, the difficulty of convicting murderers in this State has been vastly increased since 1860 and 1862, in which years the Legislature made a great mistake in tampering with the law bearing on this crime.

Murder was then classed in two degrees, and it took the Courts five years to determine what the second degree of murder might be. The punishment of murder in the first degree is hanging, and for murder in the second degree imprisonment for ten years, or for life, in the discretion of the Court.

The practical result of introducing such a distinction has been that jurors, influenced by unwillingness to unite in a capital conviction, always find the prisoner guilty of the second degree. The simplicity of the old definition ought to be restored.

So with manslaughter, which the Legislature has defined to be of four degrees. It requires the finest kind of technical knowledge to understand the nice distinctions which the law has made in this offence, and as a consequence jurors can rarely be brought to give a verdict except for the lowest degrees.

So much for the light punishments which in these days are meted out for this sort of offence.

TARDY PROSECUTION OF OFFENDERS.

As regards the failure of the prosecuting officers to bring murderers and perpetrators of the crime of manslaughter to prompt trial, there is much to be said in mitigation.

As the law now stands, it is an absolute impossibility to procure a jury immediately after the commission of a crime which is at all notorious. Publicity is given to an event through the newspapers, and upon the facts presented in the public prints the person summoned as a juror makes up an opinion as to the guilt or innocence of the accused. No matter how intelligent the juror may be; no matter how conscientiously he may be enabled to give a verdict based solely upon the evidence as presented in Court, and the law as explained by the Judge, he must be set aside, according to the ruling of the Court of Appeals, as incompetent. It is easily to be seen how so gross a legal fiction—reflecting as it does upon the intelligence and conscientiousness of every man who reads a newspaper—is made to hinder and prevent the prompt administration of justice.

In the case of CANCEMI, the Italian, who a few years since committed a murder at the corner of Grand and Centre streets, and was brought to trial within a few weeks subsequent to the commission of the crime, counsel for the prisoner, with the consent of his client, on account of the difficulty of obtaining twelve jurors, who, in the eyes of the law, were competent, waived his rights in this respect. CANCEMI was convicted, and subsequently his case was taken before the Court of Appeals, and it was held that the prisoner had no right to waive a constitutional privilege. The result was that he was set a liberty.

A similar case was that of FRIERY, the murderer of LAZARUS. He was hung, it is true; but for this same difficulty of getting a jury who were ignorant of the circumstances of the case before the trial, he very nearly escaped the penalty of his crime.

In view of this *ex cathedrâ* rule of the law applicable to jurors, it is therefore not to be wondered at that delays of great length are necessary before notorious offenders are brought to trial. The case of REAL, just convicted of the murder of Officer SMEDICK, is one in point. There has been much indignation expressed that this man was not promptly tried. The explanation of the delay may doubtless be found in reading our law reports of Monday last, where the difficulty of obtaining twelve men who should be acceptable alike to the law, to the people and to the defence, is palpable.

This defect of our present code of criminal practice is not the only one. There are many others which stand in the way of the swift application of justice, even where the zeal of the representatives of the people is beyond dispute. The manifold legal excuses which a defendant may offer respecting the absence of important witnesses, and other quibbles which are fully recognized by the present code, serve to defeat the ends of justice, and afford many loopholes for escape where the counsel for the prisoner is fertile in tact and determined in his opposition.

THE DISTRICT-ATTORNEY'S POWER.

Under the almost unlimited power which the laws of this State place in the hands of the District-Attorney of every county, this functionary may exercise the widest discretion, the only check upon his course in dealing with criminals being his honesty and his faithfulness to the trust confided to him. He is the legal adviser of the Grand Jury in all matters upon which they may desire his counsel. He can without question enter a *nolle prosequi* in any case where an indictment has been found. The evidence for the prosecution in every cause is placed in his hands. He determines for himself all the chances for conviction in any given offence. If he chooses he can bring a case promptly into Court, or he may postpone it, in spite of the letter and spirit of the law, until it suits his convenience. He may go further, and accept a plea from a prisoner guilty of an offence many degrees lower in grade than that charged in the indictment by the Grand Jury.

This latter course has been pursued in this City hundreds of times, and criminals who, before a jury, might have been doomed to prison for a long term of years, have often, upon the direct invitation of the District-Attorney, pleaded guilty to an offence which simply secured them in confinement for months. A power so absolute is liable to be abused, and yet it may be exercised with perfect fairness, even in cases where there is a moral certainty of guilt, but in which the evidence may be technically imperfect according to the view of the public prosecutor who alone has access to the merits of the matter. There are, therefore, advantages and disadvantages even in this autocratic method of dealing with criminals.

THE UNVINDICATED LIQUOR LAW.

Inquiry has often been directed to the neglect of our late District-Attorney in the matter of prosecuting the thousands of complaints which had accumulated in his office against violators of the Excise law. The answer is plain. A partisan purpose is doubtless subserved in the failure to prosecute, but there are valid grounds in law for the non-action. A well-settled rule of criminal procedure is established in this respect. Cases brought to trial must be in the following order:

1. Felonies in which the defendant is in custody.
2. Misdemeanors in which the defendant is in custody.
3. Felonies in which the defendant is on bail.
4. Misdemeanors in which the defendant is on bail.

As the liquor cases belong to the latter class, and as the indictments pending against offenders of the three other classes have thus far never been exhausted, there seems to be no tangible cause of complaint under the circumstances.

THE TROUBLE ABOUT JURORS.

It may be urged that if the office of the District-Attorney is overflowing with indictments which cannot be reached under the slow process of criminal procedure, it would be well to hold two separate terms of the Court of Sessions simultaneously. There is a Recorder and also a City Judge. Why may they not work at the same time, and so lighten the calendar?

There seems to be great reason in this, but the main obstacle in the way of such a course is the trouble of obtaining jurors. The difficulty in this respect is chronic, and calls for a radical remedy. Every subterfuge is resorted to for the purpose of escaping jury duty, and it rarely happens that out of two hundred and fifty summoned at each term of the Court of General Sessions the required number of twenty-four, which constitutes the legal panel from which a petit jury may be taken, can be secured on the first day of the term. The penalty for non-service without legal excuse is simply a fine of $25 for the term. Many business men submit to the fine, and never put in an appearance.

This great evil under which the Courts labor might be remedied in two ways: first, by issuing an attachment compelling the recusant juror to appear, as is done in Massachusetts; or by paying a moderate compensation ($3 a day,) when jurors serve for the term, as is done in New-Jersey. Either plan would work a reform. Perhaps the latter would be more just, as there seems to be no good reason why Judge, counsel, witnesses and all officers of the Court should receive compensation, and jurors alone be compelled to give their time for nothing. Jurors, as a general thing, are drawn from the working classes, who can illy afford to lose their time, but who for a slight compensation would cheerfully serve the public.

THE NEW CRIMINAL CODE.

The remedy for the evils at which we have hinted, and for many others which we have no space to demonstrate, is to be found in the Code of Criminal Procedure, which for many years has been vainly knocking for adoption at the door of the Legislature. This Code was prepared and matured by Commissioners appointed by the Legislature, composed of three of the ablest and most astute members of the legal profession of this City—Messrs. DAVID DUDLEY FIELD, WM. CURTIS NOYES and ALEXANDER W. BRADFORD. By its adoption many cumbrous and faulty formulas unsuited to this enlightened age would be dispensed with; the antique rules of practice and pleadings would be abolished, and the course of justice would be so simplified that the "law's delays" would become an obsolete tradition.

The passage of the Code is vigorously combatted, however, by parties whose professional interests might be damaged by its adoption, and thus far they have carried their point.

THE BOLDNESS OF CRIME.

With respect to the boldness of crime there have been of late many striking examples. The murder of Mr. ROGERS comes in this category. He was stricken down at early daylight in front of his own door. In this case it does not seem fair to clamor against the Police for not having witnessed the deed. There was only one patrolman on duty in the neighborhood. The "beat" of this single policeman included Tenth, Eleventh, Twelfth, Thirteenth and Fourteenth streets, from Third to Sixth avenues. It is preposterous to suppose that he could possibly cover a post one-fifth as extended, and it is quite likely that if he had been in sight the ruffians would have forborne their attack. The absence of the policeman is far less unaccountable than the absence of citizens at that hour of the morning. The blame which properly attaches to the Police in this case lies in their inefficiency as detective officers.

Next we have the case of Mr. LEDDY, who was assaulted with a sling-shot in Lexington-avenue before 9 o'clock at night. Then Mr. LYNCH, who was knocked down, and his wife attacked by a gang of thieves in Fourth-street, within gunshot of Broadway, soon after dark. Again, the office of Calvary Cemetery, in the neighborhood of Police Headquarters, was entered by burglars, who despoiled a safe, and must have consumed a great deal of time in their villainy. Then the case of Mr. PRIEST, a merchant, who was attacked in his office at Coenties-slip before the close of business hours, and his pocket rifled while a pistol was held to his head. Next Mr. MORRY, who was threatened with murder, gagged and robbed in a second-story room on Broadway, between 6 and 7 o'clock in the evening. The Park Bank robbery, a crime which was unparalleled in its audacity. The attempt of BOYLE, the Michigan murderer, with his confederate, to break in the window of a jewelry store in the Bowery soon after dusk—an attempt in which he was defeated by Roundsman MOACHRY.

Lastly, the successful robbery of a jewelry store in Broadway at 7:30 o'clock on Monday evening by thieves who broke the windows. Many other bold achievements of thieves and scoundrels might be enumerated, but we have selected the more prominent of the exploits of recent occurrence, in order to illustrate upon what basis allegations of this sort are made.

Looking to the Police authorities for an explanation of this audacity in crime, we are told that it is simply a spasmodic outburst in a new direction—the very boldness affording the best chances of its success.

For example, they cite the case of BOYLE, the butcher-cart thief, who preferred forty years in Sing Sing, with any number of opportunities of escaping, to being sent to Michigan to stand trial for the murder of the Sheriff of Kalamazoo, where there was a fair prospect of his being lynched by the indignant people of the village. This BOYLE, a desperate fellow by his own confession, chose an hour of the evening when the streets were neither empty or full of passers-by in order to carry out his daring intention. He was waiting, with his confederate, for a slight cessation in the stream of passengers before he broke the window of the jewelry store. He was observed, and his intent was divined by the vigilant roundsman. The latter concealed himself behind a shutter-box on the sidewalk, but the quick eye of the thief "spotted" his head as he peered out from his skulking place. BOYLE became alarmed, and signaled to his confederate to run. They had almost reached their butcher cart when the policeman, who had started in pursuit, caught BOYLE by the leg, and held on in spite of a shot from the thief's revolver.

This was a splendid arrest, but had it not been for the fortuitous circumstance of a collision of the cart with a street car, the rascals would have escaped in spite of the vigilance and tenacity of the officer.

So with other bold offences. There is nothing artistically criminal in any of these recent cases, say the Police. They are mainly the work either of neophytes in crime, driven to desperation by the rigors of the Winter, or are what is termed in Police parlance, "put up jobs." In other words, the Police are of opinion that the victims in many of the most startling of these recent occurrences are in league with the alleged criminals. This view of the case, indeed, would seem to be sustained by Recorder HACKETT in his late charge, when he said he was inclined to believe that "one trouble arising from this recent boldness in crime is, that robberies, burglaries and thefts are so easily invented to cover up defalcations, breaches of trust or loss of property."

In accounting for the new phases of City crime, especially during the Winter months, the Police also say that it must be borne in mind that here is the great rendezvous of criminals from all parts of America, as well as from foreign countries. Here is afforded the widest field for their exploits. They drift to New-York as surely as the current of the Gulf Stream sets northward from the tropics. Large accessions to the dangerous classes of the population have come from the South, driven thence by the poverty of the country, and with these there is only one step between the gnawings of hunger and crime. Add to these that hardened class which was developed by the war, who were known as bounty-jumpers, and who a few years since were temporarily disposed of by incarceration in the State Prison, and who now, by the expiration of their terms of imprisonment, are being released to prey once more upon the community.

BOND ROBBERIES.

With respect to this species of rascality, the Police assert that it cannot be classed among the bold robberies. The work is essentially that of a sneak. It requires no extraordinary dexterity. It is effected because it is profitable, and is followed by first-class thieves and inexperts alike. Bond robberies are said to pay better than any other; there is less danger attending them. "The business community," says the Recorder, and the Police indorse the assertion, "is careless in exposing property of this character, and often invite theft by their own negligence." The difficulty in securing the conviction of a bond thief is palpable. Granted that a person is suspected of a crime of this sort, where can the evidence against him be found unless he happen to be caught in the act? He can dispose of his plunder with facility. He will destroy it utterly before he will yield it. The only alternative is to compromise for the recovery of a portion of the property. This, in some manner, the Detective Police are enabled readily to do. The victims of the thieves are glad to come to a settlement on these terms. But the cause of public morality is certainly affected injuriously by compounding with rascals in so frequent a manner.

IMMUNITY FROM PUNISHMENT.

The popular supposition that criminals escape the lawful penalty of their offences is certainly true in regard to many notorious characters.

Political affiliation and service at the polls are allowed to influence the action of an elected Magistracy. This is a broad charge, and in many cases it might not be susceptible of proof, but very few doubt its truth. It is strenuously made by the Police. They declare the practice to be one of the principal difficulties with which they have to contend. In innumerable instances, according to their testimony, well-known professional thieves and burglars are apprehended *in flagrante delicto*, and taken before a committing Magistrate, who with great facility enlarges them upon worthless bail. The ruffian in a day or two is again on the streets for purposes of pillage, and triumphantly jeering at the faithful officer who had taken him into custody.

In illustration of this point the case is mentioned of PINTO, who was sentenced a week or two since to Sing Sing for the audacious robbery of the Park Bank. This thief was identified by the Police as a burglar who was caught some time last year in the act of escaping with his plunder. He was committed for trial the day subsequent to his arrest. Just before the last Charter election this prisoner was quietly set at liberty and did service at the polls. The papers upon which he was held for trial are now missing, having been spirited away from the office of the District-Attorney. Scores of instances are mentioned where notorious criminals have been guilty of second and third offences before they were brought to trial for the first.

It is lamentable to consider that there are at present men holding office in this City who are themselves graduates of penal institutions, and have about them, in subordinate capacities, persons who have also been convicted of felonies. Through the apathy of citizens men of this sort obtain place and power, and use their positions to protect, as far as they can, their former companions and associates in vice.

There is no doubt that many of our Police Justices and other Magistrates administer anything but impartial justice in cases where political "strikers" are criminally implicated. The influence of the ruffianly class is too potent, when thrown into the scale at a public election, for the candidate who promises favor to them, either through himself or his friends, to withstand it entirely.

POLICE JUSTICE REFORM.

We are pleased to notice that even the Democrats of the better class are alive to the glaring evils of this character, now existing and increasing, and propose an effort to check them. The Police Justices are now elected by districts, of which there are four in the City. It has frequently been the case that five or six candidates for this office have been presented in a single district. The consequence of this has been a fierce struggle at the polls, and the vote and favor of professional law-breakers in every grade and variety of crime have been sought to turn the scale for one candidate or another. He generally of all the candidates has been successful whose conscience would permit him to promise most in the way of immunity from punishment to these his friends in need.

Even at this remote period from the next election, certain of our Police Justices, who propose to enter the field again for another term of office, find it to their interest to exchange Courts, in order to preserve their credit with the respectable part of their constituency, on the one hand, and escape the penalty of their entangling alliances, formed during a previous canvass, with the knaves in their own districts, on the other.

The partial remedy now proposed to meet an evil so subversive of the common weal is to elect the Police Justices in future on a general ticket, instead of a district ticket. In this manner it is believed that a better class of men may be placed in so important an office. A bill to this effect will soon be presented to the Legislature, and it is thought the project will commend itself to the Republicans sufficiently to insure its passage, particularly as the City is so thoroughly Democratic in its politics already that no party purpose would be secured by its defeat.

THE ABUSE OF THE WRIT OF HABEAS CORPUS.

It is very generally conceded that until within a year past, another flagrant mode of giving immunity to criminals was in the too free use of the writ of *habeas corpus*. To so great an extent was this cherished instrument of protection to the citizen perverted from its proper object, that it became necessary to invoke the interference of the Legislature.

Complaint for this cause was particularly made against the late City Judge, and to put an end to his alleged abuse of authority, the Legislature rescinded the power theretofore exercised by the Recorder and City Judge, of granting the writ. The effect of this curtailment, in the case of Judge RUSSEL, was that he retired from the Bench.

We had hoped, by investigation of the records with regard to the writs of *habeas corpus* issued in the case of prisoners confined at the Penitentiary at Blackwell's Island, to have ascertained precisely to what extent this process of the law had been abused. Our intention, however, has been frustrated. The records of the Penitentiary are very imperfect. Many of the original writs are missing, and there are no entries on the books of the institution to show that they were ever served. The books set forth that since Jan. 1, 1864, to Dec. 31, 1868, one hundred and ninety-four convicted prisoners have been discharged on writs of *habeas corpus*, but there is nothing to indicate what Judges discharged them, or how many writs were issued that did not result in a discharge—that is, in cases where prisoners were remanded to the Penitentiary.

SHORTCOMINGS OF THE POLICE.

The fact cannot be disguised that a widespread dissatisfaction exists with the present management of the Police organization. Very few persons hesitate to admit that the Metropolitan system is in itself excellent, and yet the prevailing sentiment of the public is that in many essential particulars its administration is shamefully defective. The philosophy of the London organization, upon which our system is based, has been lost sight of in many material points, and our Police, instead of being useful in the repression and detection of crime, has lapsed into a merely disciplined patrol, little better than a regiment of infantry.

To specify a few of the considerations which lead to this conclusion, we will begin with the detective force.

THE ERROR OF OUR DETECTIVE SYSTEM.

The organization in this regard is especially defective. A radical error lies at the foundation of this department in establishing the Detective Bureau as a separate and distinct branch of the service. Instead of being known as a detective, the officer employed in such work should, as far as possible, preserve an incognito. He should be able and willing to assume any possible disguise in order to conceal his identity from the criminal classes, or even from other members of the Police force, excepting the chief of the entire organization. This functionary alone, in view of his presumed knowledge of the special fitness and talent of each of his subordinates, ought to select a "shadow" to "work up" any given case, and the man so chosen ought to prosecute his inquiries in secret and have sufficient time afforded him for a thorough investigation. No plan of this sort is carried out. Our detectives, exclusive of ward or precinct detectives, are so few in number that with apparent justice they may be termed a "ring." Rank and file comprise only *fifteen* men, and this meagre number is known not alone to the members of the force, but also to every professional thief and burglar in the City. This is an undisputed fact. They make no attempt to conceal their calling, but rather take pains to make it known, especially to the criminal class, who profit by the knowledge. Their theory is that rogues will flee at sight of them. We have already shown their inefficiency in the detection of murderers. The same may be said of them in reference to every other variety of crime. Indeed, there is scarcely a pretence on their part that the chief end of their organization is to ferret out criminals and procure their punishment. *We are told that they have not secured the conviction of ten culprits during the past year.*

These facts show the comparative uselessness of the detective organization. It is no proof of its efficiency that it has been the means of returning vast amounts of stolen property. That is a minor and incidental part of the business. The chief end of a detective force ought to be the conviction of offenders, and in this respect it is an absolute failure.

The operations of the Detective Bureau ought to be thoroughly inquired into. The Commissioners ought to call upon the Chief to report the number of arrests made by his force; the number of cases of robberies and other felonies reported at his office; the number of convictions obtained by his subordinates; the amount of rewards for stolen property offered, claimed and obtained; the manner in which cases are "worked up;" why it is habitually necessary to open negotiations with thieves to secure return of stolen property; and upon what authority arrangements are made with prisoners assuring them of impunity upon condition that they make a confession. A truthful answer to these questions would go very far toward revealing the art peculiar to our detectives of getting rich rapidly on small salaries.

POLICEMEN DO NOT FERRET OUT TESTIMONY.

Another glaring defect in the administration of our Police system is the remissness, with few exceptions, of the officers of every grade in the important work of ferreting out testimony. This allegation was recently made by Recorder HACKETT, and it is indorsed by every Police Magistrate of the City. A very large proportion of the complaints lodged in the Courts fall through, simply because the Police fail to supply certain links in testimony which it is clearly their duty to present. For instance, in the Court of Special Sessions alone there were, last year, no less than 1,869 complaints dismissed, in very many of which cases the result was directly traceable to the negligent manner in which the officers who made the arrests brought their cases into Court. Under the present faulty administration of the Department, a policeman generally thinks his duty is done on taking a prisoner to Court, instead of working up every case in such a manner as to secure conviction to the guilty.

The patrolmen are not so culpable in this regard as are their superiors. They have little time given them to prosecute this branch of their business. The Captains of Precincts, with very rare exceptions, trouble themselves to watch a case from the time it is brought to the Station-house until the prisoner is disposed of at Court. This is a part of their duty, of which, as a general thing, they seem to be ignorant. Indeed, the manner in which the majority of the Captains employ their time would scarcely bear scrutiny. Very few hours of the twenty-four are passed at the Station-houses. Each Precinct has attached to it four Sergeants, who in turn do the clerical duty, and the Captain, freed from confinement, devotes as much or as little of the day to his Precinct as may suit his convenience. There is no check upon them in this respect, and their neglect of duty is proverbial. In one instance, the Captain of a Precinct—that of the Mounted Police—is, also, or was very recently, Superintendent of the Belt Railroad, and as he made no secret of his double occupation, it is fair to assume that the circumstance was known to the Commissioners. The fact is, that there is too much discretionary and irresponsible power placed in the hands of the Captains. They are autocrats in many respects in their individual Precincts, under no special supervision by their superiors, reluctant to coöperation with their brother officers, and possessing absolute control of the details of the Police work, which, under the circumstances, is not satisfactorily performed.

INCOMPETENCY OF THE SUPERINTENDENT.

The Police Superintendent himself is justly chargeable with many of the errors which have crept into the management of the force, and he tolerates many abuses which destroy the homogeneous working of his Department. Without special training for his office, he has brought to it a determined will which brooks no opposition, a lack of broad and comprehensive view, which makes him jealous of suggestions from others, and averse to the counsel and coöperation of anybody. He is dogmatic, vain and impracticable. He immures himself day after day and constantly in his office at head-quarters, and in no sense exercises that supervision of the practical operations of his force which the theory and name of his position as Superintendent demand. He violates the rules of the Board of which he is the executive officer, and peremptorily refuses to rectify his mistakes. These characteristics of the Superintendent are notorious, and work great detriment to the success and efficiency of the force. A most flagrant instance of the Superintendent's obstinacy is to be found in his recent controversy with Justice DOWLING in regard to an order designating the tours of duty for the Police. By this order, in direct violation of a State law and in absolute conflict with Rules 113 and 135 of the Police Board, the Superintendent makes it necessary for a patrolman who takes a prisoner during the night to carry his charge to Court after 9 o'clock A. M. The Courts are opened at sunrise, especially to dispose of prisoners who are arrested after nightfall, and who frequently are unjustly held in the Station-houses. The law expressly says that "if the Magistrate is not holding Court, the offender shall be detained in a Station-house until the next public sitting of the Magistrate, and no longer, but shall then be conveyed without delay before the Magistrate to be dealt with according to law." In spite of the law the Superintendent persists in his obstinacy, regardless of justice and of propriety. One effect of his course is to hold out a strong premium to the patrolmen to refrain from making arrests and shut their eyes upon any but flagrant offenders. Under this order of the Superintendent, the policeman, on making an arrest, is compelled to spend the hours in Court which otherwise he would pass in sleep, and it is scarcely to be wondered at that men who are frequently robbed of the hours of repose will shirk their duty. The result is that of late there has been a great decrease in the number of persons taken into custody after nightfall.

IMPULSIVE AND ARBITRARY ARRESTS—A CRUEL CASE.

Numerous minor grievances might be instanced in support of the assertion that the public are losing confidence in the excellence of the force. We will, however, content ourselves with one more point in illustration of the charge of gross misconduct which of late has been frequently laid at the door of the Police—the interference with quiet and respectable citizens by overbearing officers,—and with this shocking incident—one of many that have come to our knowledge—we will conclude the subject for a time.

It is not a great while since, that a lady of this City, in the last stages of consumption, who had been advised by her physician to use opium to relieve the severe pain to which she was constantly subject, on one occasion, after the administration of a teaspoonful of the elixir of opium, was permitted to go out and take a walk attended by a servant. Overcome by feebleness and by the effects of the opiate, she sat down for a moment on a doorstep. Almost immediately after a policeman came up, and addressing her in reprehensible language, ordered the poor sufferer to move on. She was too far gone to hear the order, when the policeman seized her and dragged her up and pushed her roughly along. Becoming partially conscious under the rude propulsion of the man with the baton, in a wild, feeble, excited way, she protested and resisted. She was then struck. With the expiring, flickering strength of her lean and shrunken frame, she resented the harsh treatment. She was at once knocked down and taken to the Station-house. On the remonstrance of a friend, who accidentally learned the facts of the case after midnight, her release was peremptorily and insolently refused. Next day, taken before a Magistrate, this haggard victim of a policeman's ignorance and brutality, trembling on the verge of the grave, was fined for drunkenness, and as may well be believed by those who know the most of our Station-houses, her life afterward was not of long duration. The helpless woman succumbed to the rude shock, and a few days after was in her grave.

THE INADEQUATE POLICE FORCE.

In making up a judgment as to what extent our Police have failed to meet the purposes of its organization,—the preservation of order and the prevention, detection and punishment of crime,—the fact must not be overlooked that in proportion to the population of the Metropolitan District the department is numerically smaller, perhaps, than that of any other dense-peopled place.

The aggregate number of policemen in the four counties of New-York, Kings, Richmond and Westchester is two thousand six hundred and fifty, of whom two thousand three hundred and thirty-four are patrolmen.

Allowing for the numerous details to the Police Courts, to sanitary inspection, and to other day employments—the "fat offices" for which policemen strive—the patrol force is still further reduced by several hundred men.

Take the City of New-York as an illustration, and we find that, except in extraordinary emergencies, such as on the occurrence of fires, holidays and elections, there are never more than 800 policemen on duty in the streets at any given time. One-half are on reserve at the station-houses, while the remainder are on duty in the streets.

In so large a City, with a population exceeding 1,000,000, it will be seen at a glance that 800 patrolmen are an absurdly small number to efficiently perform the work required of them. The "beats" generally are too extended for a single man to watch. Rogues quickly learn the precise ground that every patrolman is assigned to cover, and begin their depredations at the house or store upon which they may have designs so soon as the Policeman passes that given spot in making the tour of his post.

Therefore, in prosecuting the reforms which are imperatively demanded in our Police system, one of the first requirements must be a large addition to the strength of the force.

The tax-payers of the City will cheerfully assent to the increased cost of the Department which an augmentation of its numbers will entail, provided that in this way the City will be relieved of the stigma which the rampancy of crime has fixed upon it, and the people may be assured of safety to life and property.

AN UNDERGROUND RAILWAY.

Traveling in a City of Distances—The London Underground Railway—A Subterranean Trip—The Road, Tunnels and Stations—Impressions of a Voyager.

From Our Own Correspondent.

LONDON, Monday, Jan. 18, 1869.

At a time when propositions for the construction of an underground railway in New-York are engaging the attention of American engineers, it may not be labor thrown away if I give you some account of the similar work which has actually been carried out in this metropolis. I have recently had the opportunity afforded me of making a very thorough inspection of our underground railway, and I am convinced of its perfect safety; it is, in my opinion, safer, for instance, than any railway above ground I have ever seen, while the convenience it affords to the public in this overgrown and crowded city would be incredible to any one who had never paid us a visit.

The railway is intended to make a complete circuit of the metropolis, with branch lines running to points which lie at some little distance from the great centres of population. Some parts of the railway have been open for five years past, but it is only within the last month that the extension was completed to two or three crowded districts, and the older line brought into communication with it. The result is that the line is now available for the inhabitants of nearly every part of London. For example: I live in South Kensington. Formerly, if I wanted to go to the city quickly it was necessary to take a cab at a cost of 5s., the omnibuses being generally "all full inside." Now, close to my house I find a large and handsome railway station, and by paying sixpence (12 cents) I get whisked off to Moorgate-street in half the time the cab would have taken.

Well, but, the reader may say, how about the line, and what sort of carriages do you have to go in? Isn't it very disagreeable traveling? To the last question I must answer no, and I do not speak rashly, for I have spent some days in tunnels of the railway without even the advantage of being carried along swiftly in the trains. I have gone and walked about in them, and if the air had been very bad it strikes me that I should have found it out. But although the length of the line running actually under the roads and houses is sometimes considerable, I have never experienced anything but the most trifling consciousness of a change of atmosphere. In the first place, there is a very fair draught of air through them. In the next, the engines never let off steam in the tunnels. They burn a fuel which is as nearly smokeless as anything that can be employed—namely, coke, specially prepared for the company, and carefully picked—and each engine is fitted up with a condenser. There is therefore surprisingly little smoke or steam in any of the tunnels. Now and then an opening occurs, and most of the stations are built in the open air. At such points the engine driver opens his dampers, lets his fire blow up, and gets all snug for his next run through the tunnels. About 700 trains a day run over various parts of the line, and in one week nearly 800,000 passengers were carried. The trains succeed each other at intervals of from three to ten minutes, and so beautiful is the system of signals which has been adopted that not one accident has occurred, and until one does occur I shall believe that it is impossible. Hour after hour I have passed in watching the mechanism and action of the signals, and anything more ingenious or complete it would be difficult even to imagine. Without diagrams or sketches I could not hope to make this mechanism clear to the reader, but this, at any rate, may easily be understood: The stations, with two or three exceptions, are built in the open air. Besides the usual semaphore signals, a double set of lights are used in the tunnels. The colors are two—green and red—one denoting caution, the other danger, "stop." The signalman works one of these lights, the porter at the station another, and these two men are not in communication. When a train leaves a station the lights are kept at danger until the man at the station ahead telegraphs that the train is in sight, and then the green lights are put on. The lights are at some distance apart. Suppose the first one the driver comes to in a tunnel is red. He draws his train gently up to the second light, further on in the tunnel, which, perhaps, he finds red, too. In that case he stops, and dare not go a yard further. Then presently it changes to green in front, the guard looks back and sees that the green light is there also, and on the train goes again. Even such slight delays as these are very unusual; but they render a collision almost an impossibility.

The light placed in a railway carriage generally is just sufficient to make "darkness visible." But here, on this underground railway, each carriage is lit with two burners of gas, one at each end. The effect is that you can read quite as comfortably as if you were sitting in your own room. There is no necessity to hold the newspaper under the lamp, or to strain the eyes under a light not equal to that of a candle. The two burners make the carriage as cheerful and bright as a comfortable little room. The consumption of gas is of course enormous, but the arrangements connected with its supply are admirable. A train can be emptied of its passengers, the engine changed, and the gas reservoirs refilled in two minutes. No accident can take place with the gas. It is stored along the roofs of the carriages in an India-rubber cloth, which cloth is again encased in a box. A plate of iron at the top of the bag presses it down through the burners at an equal rate. The burners are shut in with half-globes of thick glass, and carefully locked. The supply is amply sufficient to last out the journey, but an index outside tells whether the bags are full or empty. If empty, the large pipe communicating with the works is brought to the carriage—each carriage having a separate bag, be it understood—and in a few moments the dial once more marks "full."

The tunnels are all as fine specimens of good, substantial brick-work as could be met with anywhere. I very rarely found water dripping through any of them; they were mostly perfectly dry, and in excellent order. The very best rails and sleepers have been laid down, a large staff of plate-layers and road-menders are constantly at work, the engines and carriages are carefully examined every morning, and several inspectors are constantly traveling up and down the line, examining every arrangement, and taking care that the rules of the line are faithfully observed. You can hear the traffic of the street overhead from many parts of the railway, but in the street, itself, you can never hear the trains. Near the part of the town where I reside the line is carried under houses, and even through private cellars, and the inhabitants of those invaded places never complain of experiencing the least annoyance. In one part, under the Portland-road, the shopkeepers at first said they felt a "slight reverberation." But, perhaps, imagination had something to do with it, for of late they have not said a word. When a man is told that a train is running at full speed beneath his feet, he will find it pretty easy to persuade himself that the ground is shaking.

Any of your readers who happen to have gone much about London, will have seen a long street which I always maintain is the most hideous thoroughfare in the world. Its aspect is poverty-stricken and gloomy, and it is impossible to pass through it without somehow feeling dirty and miserable. It leaves on the mind a sense of coming misfortune, and long after one has quitted it, it haunts the imagination like some dreadful dream. This thoroughfare is called the Euston Road, the most revolting piece of work man has yet produced either in ancient or modern times. It is a street of tombstones, funerals, dejected-looking people, and those melancholy houses which British architects used lovingly

straight up and down, black brick, narrow windows, and doorway shaped like a coffin. The underground railway has saved any of us Londoners from the necessity of traversing this most deplorable region. Is there any man in his senses who would not rather make a journey under the Euston Road than upon it? Well, the line runs along the extreme length of the road, dodging the sewers and gaspipes and all other kinds of pipes on its way. It is a long, straight piece of tunneling, and cost a great sum of money to construct. But there were other parts which presented still greater difficulties—parts where the water would come through in spite of all exertions to keep it out, and, where a complete tunnel had to be built under the ground as well as above it. Immense sums of money were spent in buying houses which had to be pulled down, or in compensating owners of property. Then there were great junctions to be made, so as to form connection with the existing lines of railway. A man might now take the underground road close to his own house, and be carried to Edinburgh, or to Liverpool, or any other place with which railway communication is established, and be saved all trouble of running from cabs to stations, and stand no risk of losing his train. The traffic increases with extraordinary rapidity. In 1868 the Company's receipts were only £440 or £500 a week. Now (with an extension of the line, of course,) the weekly receipts average about £7,000. They must necessarily go on increasing. When people once use the underground railway they will not be able to do without it. By and and by a short extension will complete the road to Charing Cross, and then every important part of London will be accessible by the line.

The fares are low, and there is little or no waiting for trains—two points of great importance. There is very little time lost at any station, and if passengers no not "hurry up" they are very likely to lose their trains. Punctuality is closely observed, and if you get to an important station only five minutes after the train has left, you can feel certain that another train will be up in less than five minutes. The stations are very large and commodious, and civility to passengers is strictly enjoined upon all servants of the Company. I do not think that any one who travels by our underground railway is likely to be disappointed with it. The General Manager looks to me very much like an American—at any rate he has all the shrewdness and quickness of an American in his face. He is about the line, or poring over papers relating to its management, from morning till night, and the present state of the Company is acknowledged to be a striking proof of the efficiency of his services. L.

SPAIN.

The Reported Attack of Spanish Republicans on Americans Denied.

From an Occasional Correspondent.

GIBRALTAR, Thursday, Jan. 21, 1869.

We have seen in the *London Times* of Jan. 5 a letter from their Madrid correspondent concerning the "siege of Malaga," which contains statements which are entirely contrary to the truth, and we write this to inform all concerned that neither Government nor Republican soldiers fired upon American ladies, or intended to insult them or their flag in any way.

We were in Malaga through all that terrible week, and knew that it was bad enough without exaggerating any detail.

On our way from Seville we fell in company with the Government soldiers, who had been sent to teach "order and discipline" to the somewhat turbulent Republicans of Malaga. At Seville the militia had been requested to give up their arms, with the same authority and the same threats as at Cadiz, and they complied. At Malaga they refused, and the consequences were what had been predicted. Many were wounded, many were slain and many were made prisoners.

We are sorry to say that it was true that the American Consul was out of town, and not very far off. The military authorities maintain that they gave notice to the officials of every Government twenty-four hours before the bombardment commenced. Whether this is true or not, we do not know. But we know that neither English nor American citizens were informed by anything but grapeshot that there was any danger for them, and they had been many times assured that everything would be settled without a fight.

The correspondent of the London *Times* says that American ladies were fired upon by Republican soldiers while on their way to an American gunboat lying in the harbor.

The gunboat *Swatara*, under the command of Capt. BLAKE, had been sent to the coast of Spain to protect American citizens and property, and we were assured by the officers that they had requested the Consul to be sure and inform them in season of any trouble, in order that they might be prompt in offering protection and assistance. The instant that notice was given them, an officer was sent with the American flag to accompany any who should wish to avail themselves of it to the gunboat. On the way some random shots caused them great fear, if not danger; but they were not from Republican guns, and were not intentional. This would have been an insult to the American flag which, we think, the "greatest naval Power in the world" would not have ventured. An explanation was immediately demanded by Capt. BLAKE, who immediately received a satisfactory, written apology, or there might have been a battle on the water as well as on land.

Three ladies thought it would be less dangerous to remain in their hotel under such circumstances than to go through the streets. Within sight of our windows was a barricade, and the click of the hammer and pickax was within the hearing of our ears as they constructed it. It was attacked about noon and made an obstinate resistance, but it must yield necessarily to a force ten times its own. The bullets rained thick and fast during three hours, and then all was still. Now, we thought, there is no more danger.

We had taken refuge in the cellar, and our courier came every half hour to bring us intelligence concerning all that was going on. The hotel opposite us was taken forcible possession of by the Government troops. When they appeared at the windows, with all the mattresses and feather beds in the house for defenses, the Republicans fired upon them, and several lodgers were wounded and two or three killed. A flag displayed upon the balcony had prevented such an intrusion in the house where we were, and there was no appearance of mobocracy in the streets. The Republicans were not disciplined and officered as were their opponents, but they were quite as civilized and gentlemanly.

We had returned to the upper rooms, but not to those which looked upon the street, when a ball whizzed over our heads and lodged in the wall, having passed through a thick wooden shutter and a heavy door on the way. We heard the glass crashing in every direction, the cannon boomed again, and we confess we began to be seized with terror. We were not harmed, but it seems to us a miracle that we escaped.

When all was finished we learned that Government officers ordered the men to fire into our rooms, merely to ascertain if there was any one to answer in the same fashion, and until they were maddened by defeat no wanton cruelty was committed by the populace.

We did not hear that any American or Englishman was injured, in person, though some were in their property. English citizens received no protection from their country or officials. There was no British gunboat in the Mediterranean. Telegrams were dispatched to Gibraltar, praying for something, but they were not heeded. The English Consul did not give notice even at the eleventh hour, as did the American, and paid no attention whatever to anybody's complaints. One or two availed themselves of the American flag and American ship for protection, and the rest trembled during the battle, and have uttered fearful imprecations ever since against a Government so indifferent to its duty and so neglectful of its subjects.

Many fearful crimes were committed by the soldiers sent to "chastise a mob,"—too fearful to be related—and during the night after the contest, some of them were assassinated by the disappointed and desperate Republicans. Some zealous young men at our *table d'hôte* were converted to the Republican side by the reckless injustice committed on the other, and we venture to say there was not a single conversion *vice versa*. So far as we could learn, the Government had no friends in the city, among the people or strangers.

We have traveled from St. Sebastian to Malaga, and heard nothing but curses against everything monarchical, and in every place where we have met citizens or soldiers, we have experienced, not only the ordinary attention shown to strangers by all civilized people, but a respect and deference amounting almost to homage, when we said "We are Republicans from the United States of America." It has happened to us often in several cities to be looked upon rather coldly and suspiciously, till we made known our nativity, and the more emphatically we pronounced our Republican principles, the more cordially were we salated.

At Malaga we went to visit the Cathedral, and found it surrounded by soldiers. The sentinal said there was no admittance. We requested our interpreter to say that we were Americans. When they heard this the gates were thrown wide open and we were respectfully saluted.

In the church a group of officers again challenged us, and our reply obtained for us such a reception as might have gratified a queen jealous of the homage of her people. We were gratified by the certainty of being understood, which was afforded by the question, "You are from the land of WASHINGTON and LINCOLN?" When we said "Yes," very proudly, they doffed their caps, and bowed to the ground. They were curious to hear something about our great Republic, and we told them as much as we could in the short time we had, and began with saying that when the Army offered WASHINGTON a crown, he refused it, and finished by saying that we would hope and pray that they might never again be cursed with king or queen, or fall into the power of an ecclesiastical hierarchy.

They cried "*Bueno*," and one said he regretted that his duties prevented his paying us the attention he would like, which we should have accepted as for our country and not for ourselves. Afterward we were often recognized, and experienced always the same manifestations of regard, entirely because we came from the land of liberty. We were warned against the "ferocious and reckless Malagueñas" and the bandits of the mountains, but we believe our *consign* would procure us protection even from what they call brigands.

There are a few priests who still officiate in the churches, but there are very few worshipers, and the Spanish national priests is not less terrible than against kings.

Those who think the people of Spain do not understand what they want, and what they are determined to have, are mistaken. One thing they realize to the full, that never before could they say what they thought upon any subject connected with religion or politics, and now they enjoy a degree of liberty. Government armies may crush them here and there for a few days or weeks, and Jesuits may intrigue to ensnare them, but never for any length of time will they again wear the chains. Those who are forging them will find to their cost a terrible struggle when they attempt to put them on.

PERU.

A Woman's Perils During the Earthquakes—Yellow Fever and Sanitary Reforms.

From Our Own Correspondent.

LIMA, Peru, Thursday, Jan. 14, 1869.

Mrs. DAVIDSON, one of the sufferers of the terrible earthquakes of Aug. 13, died in Valparaiso on the 10th inst. Her escape was a perfect miracle, and after innumerable escapes and sufferings, she has at last given up to the shock upon her nervous system. She was a wealthy widow lady, living in Arica with her only son, and after the first heavy shock, her son, a fine, estimable young man, rushed home, through the falling ruins, to find his mother partially buried under the beams and timbers of her fallen house. After frantic efforts to extricate her, and being unable to do so alone and unaided, he vainly tried to find some one to help him release her; but at such a time help from others is almost impossible, every one seeking their own and their friends' safety. At last he found some kind gentlemen, and by their aid, and after incredible labor, his mother was released from the fallen ruins, but so bruised and injured that she was nearly unconscious and totally unable to stand or rise. While seeking again for some person to aid him in removing her to a greater place of safety—as the second shock had compelled the kind men helping him to flee to secure the safety of their own families—he was obliged to wander away to a distant part of the town, and as he was returning with help the cruel sea came in, and he saw his mother washed out to sea before his very eyes, clinging to a door upon which he had laid her. But as she lay extended upon it, it kept her afloat, and after two hours she was washed ashore upon a small island. Here she lost all consciousness, but recovered her senses to find herself again floated off to sea, after about an hour's refuge on the island. Her son had miraculously kept her in sight, watching her tossing among the breakers, even amid the convulsions around him, and he now succeeded in getting a boat sent off to her from the Peruvian corvette *America*. By the time the boat picked her up, another tidal wave had filled the boat half full of water, and there was great danger of being swamped. Mrs. DAVIDSON had been in the water nearly nine hours, and the men finding the sea running so high, said they could not return to the ship, and, as their only salvation, put the boat out to sea and waited and watched for the daylight. At 8 o'clock the next morning they landed at Arica, to find the corvette ashore and the whole place in ruins. They brought Mrs. DAVIDSON ashore, however, and for three days longer she lay exposed to the scorching rays of the sun and the cold night dews, without any shelter or covering except a small blanket that her son secured for her. Her property was all destroyed, and yet this brave woman kept up, and was cheerful and confident. Her son made an unavailing effort to get her to Valparaiso, by the first mail steamer, but in the crush and flight of the fleeing people it was an impossibility. At last, on the 27th of September, she reached Valparaiso by the steamer *Esmeralda*, and every care and attention were bestowed upon the unfortunate lady. But she sank under the shock and attendant suffering, and died on the 10th, as above stated. If any son deserves eulogy, young DAVIDSON does. So attached was he to his mother that many predict that he will not long survive her. It seems hardly credible that a frail woman could endure such suffering.

YELLOW FEVER.

The yellow fever is reported in Callao, and several Captains of ships lying in the bay are quite sick. This has so alarmed the timid, that people are leaving for home in all directions. The Captains of some ships have decided to proceed home by the steamer of to-day, leaving their first officer to convey their ships to the islands for guano, and to the port of discharge, where they will rejoin them. This is a purely frightened movement, as the sickness among foreigners is not yet yellow fever, but more a bilious gastric illness, caused by the heat of Summer and the change of climate, fruits, water, &c. However, if any one is so nervous as to fear the fever, it is much better to leave here, as it assuredly will come, and such a person is the soonest a victim. Lima has not had a case of fever reported, nor did it feel the shock of the last earthquake. As Pesaqua the fever seems greatly on the increase, and as the authorities are sure that the contagion was not brought there by ships or by foreign emigrants, it is decided that this terrible scourge has arisen from the decomposing remains of human life and the decay of animal and vegetable matter destroyed by the last earthquake of Aug. 13. In view of its probable coming here and to Callao the present Summer, the Municipality and Health Officers have passed a new law, which they are already carrying into active operation, and which, I am quite sure, will prevent the fever from becoming the fatal scourge that it was last Summer in this and adjoining towns.

The law is this: That an appointed committee of not less than three persons shall personally visit and inspect every house, yard, *calle-hous*, (or alley where the poor live,) street and premises of Lima and Callao, reporting upon all uncleanliness, filth and deposit that may be found, and after such report and notification to the parties owning or occupying the place or premises, if the accumulation of dirt be not removed within twenty-four hours, the person or persons are liable to a heavy fine, imprisonment for a number of days, and (according to their station and means) still more rigorous treatment. This means will bring to light some of the accumulating dirt and filth of years in those wretched Cholo hovels, and cannot but have a beneficial effect on the coming pestilence. The lower classes have now no other refuge, but are compelled to clean up their filthy dwellings.

THE FINANCES.

In the Finance Department affairs are in a most lamentable condition. The guano consignees have dictated terms to the Government of an increase of two pts cent., and a prorogation for three years and exchange of five notes to the pound sterling. Government must eventually yield to these terms. MOSQUERA, the Grand General is very quiet. If he has plans to develop, which is doubtful at present, it is difficult to find them out. He has as yet done nothing worthy of note.

ATTEMPTED REVOLUTION.

The professional revolutionists, COL. MASUR and Col. ATHEL, attempted an insurrection on the 1st of December, and excused themselves by the plea that there was an unfair division of the aid sent to the sufferers by the earthquake, and that there was no advising with them as to the distribution of funds and supplies. There has been so much revolutionary feeling at the South, and the warlike spirit looks so threatening, that a large company of Celadores was dispatched in the steamer to keep the peace if possible. But although Arequipa, the very hot-bed of rebellion, has been laid in ruins, yet it is quite as turbulent and traitorous as ever, and although the male portion of the inhabitants have not yet provided themselves with homes, they have managed to secure plenty of firearms and ammunition. No Government can long last under such treachery, and it will ultimately be broken up. Between Congress and the Revolutionists, President BALTA must eventually succumb and give up the contest.

AN EARTHQUAKE SHOCK.

The 6th of January, (Wednesday,) at about 11 A. M., there was a violent shock of an earthquake in Callao, lasting but a second, but of great force and violence. Of course all the people rushed precipitously into the open street, and were greatly alarmed. At 11 the same night there was another slight shock.

THE RACES.

The 6th was a great feast day—the day of the *Reyes de Enero*. The races at the track in Callao, were very fine and attended by special trains from Lima, and quite as large a crowd as upon the national anniversary, 28th of July. Despite earthquakes, the people will attend races, bull fights and the like. The English population are, however, the best patrons of the turf here. There is nothing further to communicate. My letter having already exceeded its limits considerably, X. Y. Z.

AFFAIRS IN GEORGIA.

Treasurer Angier's Charge Against Gov. Bullock—The Facts of the Case—The Alleged Kuklux Raid on the Georgia Railroad—A Pure Invention.

From Our Own Correspondent.

ATLANTA, Ga., Sunday, Jan. 31, 1869.

The negro, reconstruction, retrenchment, Mr. HILL's failure to get his seat in the Senate, Jo. BROWN's decision that relief is constitutional, and almost the price of cotton, have been ignored or forgotten during the past week, and nothing said, done, or thought about anything but Treasurer ANGIER's report to the Legislature, alleging fraudulent use by Gov. BULLOCK of $85,000 of the public money. The Governor's explanation accusing ANGIER of conspiracy, and ANGIER's rejoinder, reiterating and sustaining his grave charge against the Executive of Georgia, and denying any motive but a desire to discharge his official duty, to guard the public treasury, not against moth and rust, but the other thing.

The facts are that several hundred thousand dollars' worth of the bonds of the State of Georgia have been hypothecated with the Fourth National Bank, of New-York, for the purpose of raising the wind to get money to pay the interest upon the debt, provide for the current expenses of the Government, and "for other purposes." On these bonds several sums of money have been advanced from time to time by the New-York bank, and duly paid into the State Treasury. When the Treasurer was preparing his regular report for the Legislature, he asked for and received an account from the bank, and finding in it drafts by Gov. BULLOCK, as Governor of Georgia, for $85,000, of which there was no account in the Treasurer's Office, he went at once to New-York, and found that $85,000 had been drawn by the Governor, payable to his own order, and $10,000 payable to the order of Messrs. KIMBALL, a building firm, who have recently finished and fitted up for the use of the Legislature and State Government a roofless building intended for an "opera house." ANGIER gives chapter and verse for all this. The copies of the drafts, signed as Governor of Georgia and ordering the money to be charged to the State, are produced, and ANGIER states that they were not drawn in pursuance of an appropriation and on warrant duly authorized by law, but quite the reverse.

The Messrs. KIMBALL were not public officers. They were not even Government contractors. They had no claim upon the Government in any shape. They are simply enterprising speculators, (they are the sleeping-car KIMBALLS,) who, when the Convention moved the capital to this city, and the city authorities agreed to provide suitable accommodations for the State Government, bought on credit a mass of bricks and mortar, the property of a bankrupt stock company, and having made an agreement with the Municipal Government of Atlanta, fitted it up with great promptness and skill, and are to receive therefor annually $10,000.

The Governor admits the loan or advance of the money to the KIMBALLS, with a view to enable them to complete the buildings in time for the legislative session; but here the questions arise, where is the appropriation to pay KIMBALLS anything, and where is the warrant?

There are all sorts of rumors current, but as the Finance Committee keep their own counsels, nobody knows what will be done until they report, and the matter comes up for legislative action. All parties agree, both friends and foes of Gov. BULLOCK, that he has violated the law by drawing the money of the State on his own authority, no matter how good the purpose to which he may have applied it, and if the principle were once admitted that the Governor could draw $85,000 without a legislative appropriation or legal warrant, there is nothing to prevent his drawing $800,000 or $8,000,000.

The story which is universally believed is, that Mr. BULLOCK is interested in the Kimball opera house enterprise, and used the money of the State to insure its completion, expecting that the KIMBALLS would pay up before the Legislature met, and thus no harm would be done. Of course BULLOCK's opponents talk of him very harshly, othough nothing has been said or done in the political Legislature which indicates vindictive feeling. The leading Democrats are determined that politics shall not be mixed up with the investigation or be allowed to influence in the least the action of the General Assembly. BULLOCK has no party following. Very few of the Republicans support him. Nearly all of them, certainly the leaders, denounce his memorial to Congress more bitterly than the Democrats, and charge him openly with having adopted that course in order to have himself and BLODGETT sent to the Senate by a test oath and negro Legislature. The relations between BULLOCK and Gen. MEADE are the reverse of cordial. BULLOCK attacked MEADE in his Albion speech, and attributed the alleged failure of reconstruction in Georgia to Gen. MEADE's violation of the law. Of course, there are no relations of any sort between BULLOCK and the Democrats, and even in the city, among private citizens, there is no disposition to make his official *séjour* agreeable. He, therefore, is called on to meet a very grave charge affecting his personal integrity and official duty, without a party or friends to sustain him.

ANGIER, on the other hand, stands high as a man of integrity and truth. He is an uncompromising Republican, a staunch adherent of Gen. GRANT, a leading member of the Constitutional Convention, and a Union man of spotless loyalty. He did not approve of BULLOCK's memorial, nor of his recommendations; but were he ten times more bitterly opposed to the Governor's political course than he is, nobody who knows him would believe that he would prefer a baseless charge, or even push one vindictively for any political or personal cause of difference.

I cannot believe, however, that Gov. BULLOCK has committed an intentional fraud. He may not be aware of the legal restrictions to the drawing of public money, and may have violated the law in fact though not in intention. As he has only turned his attention to politics since "things got mixed up," he may believe that Governors can do many things which the law prohibits.

I hope he will be able to show that he did not appropriate any portion of the $85,000 to his own private use, that he had no business connection with the KIMBALLS, and that he gave them the drafts, believing that he had a right to give them and with a view to providing for the comfort of the State Government. If he can do this to the satisfaction of the Legislature he may be rebuked for his temerity, but nothing more will be done. The people do not want "scandal" of any kind. They do not like BULLOCK, it is true, but they do not wish for any excitement.

We may confidently expect a surrejoinder from BULLOCK to the rejoinder of ANGIER, and, like the beetle in a roll, a rebutter from ANGIER and a surrebutter from BULLOCK. ANGIER has the inside track thus far. Those drafts are unspeakable witnesses, and like the "damned spots" on the hand of *Lady Macbeth*, cannot be effaced. His is implacable now, having ceased, and corrupt motives attributed to him, therefore he will hold his ground and not yield an inch to threats or entreaties. His reply to Gov. BULLOCK's explanation is considered very objectionable both in manner and matter. Were he called on to write a political "card" for a newspaper it would do very well, but as a communication from a high public officer to a Committee of the Legislature on a subject of the gravest character, ought to have been free from the flings, sneers and innuendoes with which Mr. ANGIER's letter abounds. His recent earnestness to make it appear that Gov. BULLOCK stole $85,000, injures his case, and makes the people attribute to him unworthy motives. Mr. FORNEY's special telegram of the Kuklux descent on the Georgia Railroad at Barnet, like many other things in "my two papers, both daily," is wholly destitute of foundation. There is not one tittle of truth in it. It was entirely a flight of imagination. In August last the Tribune discovered the K. K. K. at Jersey City. "My two papers," not to be outdone, now uncoil them in the smallest of all small villages, Barnet, composed of one small store and dwelling and the depot. There was not even a delay of a minute on the train the night of the alleged Kuklux assault.

If the men who invent and dispatch these willful falsehoods have no self-respect or decency, there ought to be some way of protecting the public against them. QUONDAM.

TEXAS AND THE TEXANS.

The Perplexities and Hardships of Red River Navigation—Leading a Steamboat Through the Woods—Texas Teamsters—General Aspect of the Texas and Country—Texans and Immigrants—Their Characteristic Traits.

From an Occasional Correspondent.

PARIS, Texas, Wednesday, Jan. 20, 1869.

If any one wants to study navigation under difficulties, let him take a trip up Red River at low water. A more crooked river could not be made with the same materials; beside which, it is narrow, and so head with sandbars as to seem shallow. The water is wholly opaque, like that of the Mississippi, and so brackish, that to avoid drinking it, the boatmen carry the diluted mud of the latter with them in barrels. It winds through a flat country, the red crumbling soil of which colors the water, and washes away during high floods, so that every year the river finds itself in a new channel in some part of its course.

But it needs all the discipline of a course of Red River navigation to prepare one to appreciate that of the lakes between Shreveport and Jefferson. On the map the chain of lakes is misrepresented by a roundish spot labeled "Caddo Lake." There are four or five of these lakes, of shapes so irregular that it is no wonder the mapmakers gave them up in despair. These are connected by narrow bayous, and are everywhere full of standing trees or stumps, living or dead. The older inhabitants remember this region as a forest hunting-ground. The damming of the river by the raft above, has turned much of its water in this direction, and overflowed the land hereabouts. It must always have been moist land, as the standing timber is all cypress—a tree delighting in mud. But it was not all swamp, since trunks of pines, in excellent preservation, are found at low water.

Ordinary Red River steamers cannot navigate these lakes of the woods, which have a craft on purpose for them. At high water there is no trouble, the boats going over the stumps without danger; but in ordinary stages the little steamers are wriggled through invisible channels by a sort of jugglery bordering on magic. You stand on deck and watch the process, but never can guess into which of the impassable creeks the boat will turn. If you venture a guess you will be sure to guess wrong. They always go just where you know they cannot. The ways are so narrow and the turns so short that the boats are guided sometimes for miles by a "head-line." This is a rope, one end of which is carried by men in a skiff, and attached to various trees and stumps, the other end passing through spaces forward, and fastened to the capstan, which is then turned by the engine, until winding up the line turns the boat in the right direction. As soon as it gets fairly headed in the new way, you will see the rope hitched to another tree and the vessel turned again.

A Mississippian, after curiously watching the operation for a long time, exclaimed, "Well! this is the first time I was ever on a steamboat where they had to send a nigger on ahead to lead it through the woods!"

TEXAN TEAMSTERS.

A hundred miles of lakes and bayous brings the craft to Jefferson, in Texas, at the head of navigation. This is a new town, mostly grown up since the war, but it is now the market-town for hundreds of miles of country. The streets are unpaved and muddy, but near the landing every where thronged with cotton-wagons. These are the most picturesque objects seen in this region. They are heavy, canvas-covered wagons, drawn by two, four or six horses or mules, or by the same or a greater number of oxen. The loads seem to average one bale per head for the team. Some of these wagons come 300 miles, at the rate of from 12 to 15 miles a day, returning with as heavy a load of merchandise. The teamsters carry their provisions with them, and encamp where night finds them. While going through the woods, in cold weather, they build great fires at night. In fine weather these camp fires seldom go out, new parties occupying the place of those who have gone on. Here they encamp in groups, baking their bread and cooking their meat, and making their coffee, and roasting their sweet potatoes in the ashes. They are very sociable and friendly, always speaking on the road as freely to strangers as to acquaintance, and to women as well as to men, as a matter of courtesy. Overtaking a strange lady on foot they invite her to ride, and she does nothing amiss to accept the invitation.

Judged by other teamsters these men are the reverse of cruel, though measured by a higher standard they might be found wanting. One fact which sweeps away the chief occasion of cruelty, among people who esteem time as of value, is they are never in any haste, and so do not hurry their teams. They are the most leisurely set of men in America. They get up before day and refresh their fire, and hover over it for awhile. Then they feed their cattle, and come back and caress the fire; and then slowly, one at a time, fetch out their cooking utensils and begin their breakfast preparations, all in the most moderate manner, so that often the sun is up before they get off. Many of them go to sleep so much intoxicated as to prolong their slumbers till sunrise the next morning. They all go armed, like the rest of the Texans, and disputes about the right of way are frequent and often sanguinary. Many of the animals are unshod, but seem to suffer no inconvenience from it, as the soil is soft and free from stones.

GENERAL ASPECT OF THE COUNTRY.

For twenty miles west of Jefferson the woods are oak and pine, often wholly pine, and the land a meagre red loam. In many places fine beds of white potter's clay peep through the mould. West of this, the number of pines diminishes and the quality of the land improves, the color growing darker, until on reaching the prairie the loam is of the same black hue and ashen texture as the prairies of Illinois. The villages are thirty or forty miles from each other, and the farms between them far apart. The habitations are mostly of the poorest description. Many of them have nothing like windows, while others have holes cut in the log walls, and rudely boarded up in Winter, or closed with the roughest shutters, but wholly innocent of sash or glass. The door is left open to admit light. Open wood fires are universal, and stick chimneys very common. The walls are not cattight, and toward the roof they often forget to fill the chinks between the logs at all. It is impossible to keep comfortable in one of these houses on a cold day. There are better dwellings in the villages, and there are a very few mansions on this road. Two of them would be considered handsome elsewhere.

The general aspect of the country is like Southern Illinois—so like it at this season that if I had been dropped here unawares, I should have supposed myself there. But the great flocks of wild geese feeding on the prairies would soon correct [illegible] grain are pouring into the State so rapidly, the very limited means of transportation will allow. But Texas could hold half the present population of the United States without being more crowded than Massachusetts. There are not enough now to make the game birds fly. Although the road is so constantly traveled—often literally whitened with cotton wagons—whole flocks of geese and quail flew close by us, and prairie hens would rise and fly a few yards and settle again. A gray eagle perched unconcernedly over our heads when we were watering the horses, and waited for the second pistol shot to be fired at him before he flew lazily across the pond and alighted again. A red-tailed buzzard sat on a fence stake until we were near enough to see his eyes before getting out of the way. Innumerable swarms of blackbirds, which might have been the very flocks I saw leaving New-Jersey two months ago, scarcely took the trouble to fly up before us, but hopped to one side, or flew a grasshopper's flight out of the road, and went to picking seeds again. Deer and turkeys are common, although not quite so tame.

The migration of birds follows the same law here as in higher latitudes. When the cross-bills and snow-birds come down from British America, to take the place of the robins and larks in New-York, robins and larks here replace snowbirds and parakeets gone to Winter in Mexico.

TEMPERANCE AND NATIVES.

Almost all the inhabitants here came from somewhere else. I have conversed with less than half a dozen full-grown native Texans, and if they were fair samples it is a pity there are not more of them. They are decidedly superior to most of the immigrants. The latter hail from every where, but chiefly from the older Southern States—people impoverished by war and anxious for change. Four-fifths of the women, white or black, habitually chew sticks into little brushes, and, dipping these in snuff, vary the usual mode of chewing tobacco. Failing of snuff, they dry and pulverize common chewing tobacco and use it. The variation then consists solely in the stick. The usual expectorations follow. Men and women both smoke incontinently, and drum-drinking is nearly as common with one sex as the other. Many of these women are painfully helpless, from long habits of being waited upon, but they exhibit shrewd and ready talents for adapting themselves to their changed circumstances, and learn readily to help themselves. A generous infusion of Northern energy and thrift among the slip-shod customs of these people, during their present transition state, would make them among the richest people in the world within thirty years. They feel the need of it themselves, but generally hate "the Yankees" too cordially to welcome their help just now. Besides, it is problematic if even Yankee energy would survive the enervating influence of this climate for any great length of time.

The hopes of the people of this prosperity lies in what they think their great calamity—the necessity of working. They must work or starve, and they have gone to work. With labor will come skill, and perhaps thrift. There is no excuse for abject poverty in such a country as this, in ordinary times. With general industry must come general well-being, and they are on the highway to a more substantial state of competence than ever before.

To help them now to achieve these desirable results, they stand in the greatest need of free communication with the rest of the world. The country is naturally very attractive, but is so much unknown. Half a dozen lines of railroad through it would soon make Texas one of the richest and then, perhaps, one of the best contented of States. And, as I heard an Immigrant Alabamian say the other day, "the Yankees will have to build them, for you know we never do." The people are very anxious for the building of the Memphis and El Paso Road, and are hoping that Gen. GRANT will favor it. Somebody said he would. If he should, it would make him plenty of friends here, whatever it might do elsewhere. Such a method of pacification would be very popular here.

With open communication with the rest of the world, Texas might, in time, learn how to be comfortable. They do not know much about it now. Comfort and economy are lessons for the future. They are becoming conscious of waste and discomfort, but have not yet learned the better way. E. C. W.

SOUTH CAROLINA.

Capital Punishment and Common Schools in South Carolina—Legislative Trifling—Illiterate Magistrates—Cotton—Governor's Fortune—Gold.

From Our Own Correspondent.

COLUMBIA, S. C., Friday, Feb. 5, 1869.

The two points that attract most attention in the Legislature of this State are the criminal code, in reference to capital punishment, and educational matters. Neither bill has reached the stage of an act yet; and hence its as premature to make extended notice of them. The probable event of so much discussion on the criminal code will be to abolish the death penalty for everything except murder or homicide in the first degree. The educational schemes promise to result in liberal patronage of the State University, and the establishment of an extensive as well as expensive system of public schools throughout the State.

An interesting, though slightly exceptional specimen of legislating occurred in the House of Representatives some days ago. The important bill to amend and alter the criminal law was discussed four days in Committee of the Whole, and reported to the House, with recommendation that it pass. When the bill came up for a third reading, the first section—limiting the death penalty to willful murder—passed by a majority of twenty-two. At this point the enemies of the bill, under the leadership of DE LARGE, (mulatto,) commenced their killing-off process. DE LARGE moved to recommit the remaining portion of the bill to the Judiciary Committee. PURVIS (mulatto) moved to lay DE LARGE's motion on the table, and a friend to the latter called for the yeas and nays, which were called. When the clerk reached the name of DE LARGE, that member asked leave to explain his vote, and demanded the yeas and nays. While the yeas and nays on this point were being called, BISHOP (white) asked to be excused from voting; and on this question HYDE (white) called for the yeas and nays. During this calling of the roll, JENKS (white) asked leave to introduce a new resolution, but the Chair ruled the resolution to be out of order. DENNIS (white) moved, on behalf of JENKS, to suspend the rules, and demanded the yeas and nays upon the question. BISHOP then moved to adjourn, and demanded the yeas and nays, and when his own name was called he asked to be excused from voting, and on this question DE LARGE called for the yeas and nays. During this call DEMARS (white) also asked to be excused from voting, and called for the yeas and nays upon the question. While this vote was being taken, DE LARGE moved to adjourn, and called for the yeas and nays. During this call W. H. JONES (mulatto) asked to be excused from voting, and the yeas and nays were again called, resulting in a vote of 43 yeas, 24 nays, and 58 absent or not voting. The motion to adjourn thus came up, and the yeas and nays, which had been demanded, were called, resulting in precisely the same vote as upon the excuse of W. H. JONES above. Accordingly the House adjourned, after about three hours of such proceedings as the above.

LITERATURE AND LEGISLATION.

From the manner in which the following document reaches the public, I have no doubt at all as to its authenticity. It is a letter written by a member of the Legislature, who is also a Magistrate by recent appointment of the Governor. His name is JUBE MOBLEY, and his residence Union County. He is a mulatto of intelligence, like that of many others near him. I give the note, which is dated Jan 5, 1869, and addressed to another Magistrate:

DEAR SIR: Access I desire you Orl to have these parrys to carer be fore you tiow thes capt out the house I see this to have A contrack from the lady and if this is true you cant put them out. J. S. MOBLEY.

COTTON.

The high price of cotton is having the effect of putting a great many small planters to raising this staple the present year upon a larger scale than last; and it is probable that if the conditions be equally favorable, the yield of 1869 will be larger than that of 1868 was. The crop of 1868 in South Carolina was 150,000 bales. A good crop for 1869 would doubtless run up these figures to 200,000 in 1869. This mania for cotton prevails mainly in the upper portions of the State. But thrift in general has taken strong hold upon our whole people.

EXECUTIVE CLEMENCY.

Gov. SCOTT has made quite a number of pardons and commutations of punishments in the cases of penitentiary convicts, within the last few weeks.

WEATHER.

For over four weeks the mild and fractious weather of April has been prevailing here, mostly so. A change has come. Yesterday it became cold, and to-day there is a severe frost, and ice to be seen here and there. No snow since a matter of January, and hardly enough. SOUTH.

[illegible] had started his Indiana life by teaching here, of course this was just what we wanted to hear about, and were soon gratified. As near as we can remember, the Senator's account of the period of his life spent about here was as follows:

"Lawrenceburg!"—says he, "I never came so near starving to death anywhere in my life as I did in that town of Lawrenceburg. It was in the year 1828—I was just out of college a few years old. A young man named Hornbrook and I had started out together to seek our fortunes in the West. We had footed it part of the way, and came as deck passengers on a steamer to the Lawrenceburg wharf. We were both flat broke, but rich with conceit. We shouldered our little trunks and carried them up to Hunt's Hotel." (Here Mr. FRATT stopped to inquire kindly about Mr. HUNT and his wife, and sons JOHN and ED. Gen. BROCKNER here also informed him of the gratification of his old friend, Judge DUNN, at hearing of his election to the Senatorship.) "Well," continued Mr. FRATT, "HOLMES and I, knowing little more than we conceited to advertise for a school, which we did. It was to be a select school. The opening morning came and with it three little urchins. After waiting an hour or two, HOLMES took up his hat and left in disgust, and that was the last I saw of him. He went somewhere to the country and got a good school. Well, the next morning I had five scholars, and the number began to increase until I had twelve or thirteen. I weathered it along as best I could. CLARKSON was then publishing a paper in Lawrenceburg. He found out I could write a little, and he proposed to pay me for writing for him. He'd tell me who to pitch into, and I'd go for them, not knowing anything about the matter except as he would tell me. I remember very distinctly about his telling me to pitch into WALTER ARMSTRONG. I did so, writing as strong an article as I could. It was published. The next time I met CLARKSON he had his head tied up. I asked him what was the matter. "O," says he, "that article." Armstrong's son IRVING had pitched into him and given him a beating. "Well, there was to be a school exhibition at the seminary at Rising Sun, and I concluded to go down." (Here Mr. PHILLIPS gave a very laughable account of his labors preparing for his Sunday out, so as to look respectable.) "I was treated kindly, invited out to dinner and to Col. PARKER's to tea. I suppose he had been appointed a committee to examine me as to my qualifications. He asked me all about where I had been to school, and what studies I had been pursuing, and seemed pleased with my acquaintance. In the evening I was invited to meet the Trustees of the seminary. The meeting was in an old warehouse, and the people sat around on barrels. It was formally announced to me that I had been elected as Principal of the Seminary. I think that was the only time in my life that I ever exhibited any feeling of dignity. My heart was in my mouth at the idea of losing the situation. I had the audacity to inquire about the terms, manner of payment, &c., so as to put on an air of feeling undecided as to whether I should accept their proposal or not. I of course accepted. I here first met FRANCIS JAMES, whose daughter I afterward married. Well, this was the first great triumph of my life. Well do I remember when, on my borrowed horse, and far enough away from Rising Sun on my way back to Lawrenceburg to be out of hearing, how I raised in my stirrups, swung my hat and shouted at the top of my voice, in the full exuberance of my joy. Never since have I felt so happy. The feeling on receiving the news of my election to the Senate was nothing to it. Well, I returned to Lawrenceburg, and in good faith finished my engagement with my little school there. I had been boarding with HARRIS FITCH. He was a good man." Here Mr. FRATT took occasion to inquire kindly about Mrs. FITCH and Mr. WILSON, and was pained to learn that they were both dead. He also inquired kindly about their families. "When I got through with my school," he continued, "I found myself indebted to Mr. FITCH in quite a little sum. I scarcely knew what to do. I had a little mass of wealth in the shape of my school-books. I piled them upon my table and called Mr. FITCH into my room. I told him that I had deceived him—that I owed him and had nothing to pay him with—that I had obtained a good situation, and all I could do was to leave my books with him until I was able to pay him. He always thought I detected a little moisture in his eyes as he patted me on the back and said: 'You're all right—you'll pay me when you get the money—I don't want your books.' So I went to Rising Sun, and sure enough, at the end of the first quarter I was able to pay Mr. FITCH what I owed him; but the kindness of himself and family I will never forget."

The relation of the narrative was often interrupted by remarks of Mr. PHILLIPS and others not relative to this subject, and which we have omitted. Among other things, he and Mr. FRATT made an interesting exhibition of drafts upon their memory of Greek and Latin quotations from their old studies—each telling of what were the hardest parts for them to remember, and both quoting with great fluency. Our impression, from this interview, was that Mr. FRATT is an honest, clear-headed, large-hearted gentleman, who will be a great honor to his party and to Indiana in the position to which he has been elevated.

ALEX. H. STEPHENS.

His

WASHINGTON.

Gen. Butler's Protest Against the Action of the Senate.

The Stormy Debate of Wednesday Continued in the House.

Speaker Colfax Explains and Justifies His Action.

Speeches of Mr. Conkling and Mr. Morrill on the Currency.

Special Dispatches to the New-York Times.

WASHINGTON, Thursday, Feb. 11.

If the House of Representatives partially forgot its dignity yesterday, it measurably retrieved that error to-day by a debate of the question involved, which, for masterly ability, eloquence and vigor, will well compare with any in the pages of Congressional history. The hot feeling of last night had almost totally disappeared, leaving its traces only here and there. Members who yesterday thought the dignity and privileges of the House had been infringed, had coolly considered the question and had reversed their decision. The conviction that the action of Mr. WADE, rough and almost uncivil as it was, was nevertheless right, gradually forced its way into the minds of members, and it hardly needed the sledge-hammer blows of SHELLABARGER and BINGHAM to convince the House that to follow BUTLER in his demands was to sustain an act of incipient revolution. All day Mr. BUTLER has been losing ground, and to-night when the day's session closed, the debate still unfinished, he was ready for the second time to modify his resolution, which yesterday denounced the action of the Presiding Officer as "a gross act of oppression and an invasion of the rights and privileges of the House." To-day it has been toned down to a simple protest against the manner of counting the vote.

The debate was opened immediately after the reading of the Journal by Mr. SHELLABARGER, who held the floor from last night, and he proceeded to make a very able and conclusive argument on the legal and constitutional status of the case. His first position was that the joint rules of Feb. 6, 1865, were unconstitutional, because they provided for a counting of the electoral vote by separate action of the two Houses, while the Constitution itself expressly declared that it must be done in the presence of the two Houses. He quoted the Commentary of STORY on this defect of the Constitution, it being perfectly apparent that there was a lack of express declaration on the subject. He also quoted the opinion of Chancellor KENT, that the power to open and count the vote was lodged by the Constitution wholly in the hands of the President of the Senate, and that the two Houses were present only as witnesses to see that the proceedings were fair. He then illustrated, with great force the great danger of any practice or provision by which either House might separately refuse to count the vote of any State. Such a provision would enable the House of Representatives, if ever the contest became as close as it had been, to defeat the election had by the people, and throw the choice into its own hands. Reviewing the concurrent resolution passed to meet the case of Georgia, he said it was to his mind entirely constitutional and eminently proper. He vindicated its wisdom in an able argument, and referred to the precedent established by Congress in 1821, when MONROE was elected, and when a scene in some respects not unlike that of yesterday was enacted.

During the latter portion of Mr. SHELLABARGER's remarks Mr. BUTLER interrupted him by remarking that if each House could not act separately on receiving the vote of any State, the same result would be reached by the refusal of the House to sit in the Convention.

Mr. SHELLABARGER said that was to suppose what the gentleman must be fully conscious of, that the House of Representatives would be guilty of a bold and deliberate act of revolution. The speech was listened to with great attention. It cleared up the minds of many members as to the right phase of the question, and strengthened the opinion that Mr. SHELLABARGER is the ablest constitutional lawyer in the House.

Mr. WOODWARD, of Pennsylvania, then obtained the floor, but yielded to Hon. FRANCIS THOMAS, of Maryland, who recited the historical precedent of the case of Michigan thirty-three years ago, when he himself was one of the tellers and participated in the counting of the vote. There was doubt in Congress then as to whether Michigan was a State or not, and following the precedent of 1821, a resolution alike in terms to that acted on yesterday, was agreed upon for Michigan. It had received the sanction of the Senate of that day, by a vote of 34 to 9, when such men as CRITTENDEN, CLAY and GRUNDY sat in that body. Those who opposed it at the time, Mr. THOMAS said, were led by Mr. CALHOUN, the mischief-maker of that day. This was a terrible hit at BUTLER.

Mr. WOODWARD and Mr. ELDRIDGE succeeded Gov. THOMAS, in brief arguments against the concurrent resolution, but as it seemed to be a purely Republican fight, they speedily abandoned the field to Mr. BINGHAM, who soon concentrated the attention of the House upon himself, and proceeded to oppose BUTLER's proposition with characteristic fire and eloquence. He analyzed its bearings, commended the firm action of Mr. WADE in enforcing the concurrent resolution, and denounced BUTLER's resolution as anarchy and revolution. He hoped it would be laid on the table, as he expressed it, "there to rot."

Mr. SCHENCK followed, and made an argument in defence of the resolution of BUTLER, during which he arraigned Speaker COLFAX for his action yesterday in ordering the Sergeant-at-Arms to arrest members for disorder, and attributed it to the excitement under which the Speaker labored. Mr. COLFAX, who was on the floor, Mr. DAWES acting as Speaker pro tem., at once replied to the charge in vindication of his action, and showed that what he did was so imperatively required of him by the rules that he would have been liable to impeachment had he not enforced order. He read the provisions of the joint rule on this subject, which expressly provide what the Sergeant-at-Arms of the House shall do under direction of the Speaker. His answer was a complete reply to the imputation of Mr. SCHENCK.

Gen. GARFIELD next got the floor, and defended the action of Mr. WADE in a brief speech, closing by moving to lay the resolutions on the table, but he subsequently withdrew it at the request of friends.

Gen. LOGAN followed, but yielded to BUTLER, who had been chafing for three hours at the merciless manner in which his conduct had been shown up, and his resolutions dissected. He nerved himself for an effort. He at first paid his respects to BINGHAM, making several palpable hits, by sarcastic allusions to certain rhetorical phrases frequently indulged by Mr. BINGHAM. He then turned to the legal aspect of the case, and made a specious argument, defending his position with an apparent consciousness of its weakness, for he closed by offering, as above stated, a second modification of his resolutions.

A vote any time to-day would have laid the matter on the table, and that will probably be its fate to-morrow, when a conclusion will be reached. BUTLER wants it referred to a select committee, himself chairman, but the House, by the light of the able debate of to-day, will scarcely gratify him.

GARRETT DAVIS endeavored to continue the House excitement of yesterday in the Senate to-day by introducing a joint resolution censuring Gen. BUTLER and the representatives who voted with him in the late Convention yesterday, characterizing their conduct as disreputable and an insult to the American people. There did not appear to be the slightest disposition in the Senate to consider the subject. The reading of the resolution did not occasion a ripple of excitement, and on the objection of Mr. FERRY it went over to-morrow.

THE POSTAL TELEGRAPH SYSTEM.

The Senate Committee on Post Offices and Post Roads, at its meeting this morning, considered the subject of the postal telegraph system, and agreed on some of the important features of Mr. HUBBARD's bill. Another meeting of the Committee will be held on Tuesday next to consider the same subject, and it is very probable that the Committee will recommend the adoption of some plan which will transfer the telegraph business to the Post Office Department. There does not appear to be a very strong inclination in the Committee to recommend an appropriation for the purchase of the lines now in existence, and the granting of subsidies and acts of incorporation to new companies does not meet with much favor.

THE BROOKLYN BRIDGE.

Mr. MORGAN, from the Senate Committee on Commerce, to-day reported the bill providing for the erection of the Brooklyn bridge. The House, it will be remembered, passed the bill without any restrictions whatever. The Senate Committee propose several important amendments, among others one requiring the Bridge Company to submit plans and specifications to the Secretary of War, who must also be satisfied that the construction of the bridge will not prove any impediment to navigation.

POST OFFICE EMPLOYES.

The House Post Office Committee agreed upon a bill to-day providing that Postmasters, stage drivers and messengers, whose salaries do not exceed $300 per annum, shall only be required to take the oath prescribed by act approved March 3, 1863, entitled an act to amend the laws of the Post Office Department.

Dispatches to the Associated Press.

WASHINGTON, Thursday, Feb. 11.

AFFAIRS IN PARAGUAY.

The Secretary of the Navy, to-day, sent to the House, in compliance with resolutions, voluminous correspondence relative to affairs in Paraguay. It appears that on the 4th December last, Admiral DAVIS addressed to President LOPEZ a letter, in which he says:

"It does not belong to me to define, or even to consider, the status of BLISS and MASTERMAN, but on this subject your Excellency will, I do not doubt, repose confidence in the justice and friendship of the United States, which has afforded your Excellency many recent proofs of its respect and sympathy."

Mr. LOPEZ replied: "Those persons were criminals deeply committed in the affair of a horrible conspiracy, very particularly the former." He said he would cheerfully consent to the delivery of the criminals, provided it were requested in a manner more in conformity with the fact of their being accomplices of Ex-Minister WASHBURN, and the men intimately acquainted with his intrigues in the character of conspirator and agent of the enemy of which he is accused in the national tribunals. To this Admiral DAVIS responded: "It was no part of his official duty [illegible] or to refuse any terms which would affect the legal criminal condition of those two persons." Again referring to the friendship of the United States toward Paraguay, he asked that BLISS and MASTERMAN be embarked on board his vessel, subject to the disposition of the Government of the United States, of whose justice and friendly sentiments President LOPEZ could entertain no doubt. President LOPEZ acceded to the request of Admiral DAVIS, saying, however, it could not be complied with in the sense of a reclamation, but of a graceful courtesy on the part of the Government of Paraguay toward the United States.

GRANT AND COLFAX.

Senator MORTON, Representatives PRUYN of New-York, and WILSON of Iowa, the Committee appointed to notify Gen. GRANT and Mr. COLFAX of their election, will discharge the duty assigned to them on Saturday morning next. They will visit Gen. GRANT at his headquarters, and Mr. COLFAX at his residence.

THE INAUGURATION BALL.

The Committee on the Inauguration Reception have completed their arrangements. It will be given at the north wing of the United States Treasury building, which, being new and admirably adapted for the purpose, furnishes superior and ample accommodation. Gen. GRANT, Vice-President COLFAX and their families will be present on the occasion. Several bands of music have already been engaged. Supper will be furnished by an accomplished caterer, accessible from the opening to the close of festivities. The tickets are $10 each, which will admit a gentleman and two ladies to the reception, dance and supper. There is already a great demand for them. They can be obtained by letter, or in person. The number to be issued is limited, and may be had on application at the headquarters of the Committee, No. 407 F-street, Washington, D. C.

RECONSTRUCTION MEASURES.

The Reconstruction Committee is exhibiting indications of deciding to recall the Mississippi Convention to make another State Constitution. It is said that the Senate Committee on Judiciary has determined to report in favor of a modification of the Constitution of Virginia, as suggested by the Committee of Nine.

PACIFIC RAILROAD BONDS.

The Government has agreed to issue bonds for forty miles more road to the Union Pacific Railroad Company, receiving a large amount of First Mortgage Bonds for the complete construction hereafter. These bonds are deposited in the New-York Sub-Treasury.

LOUISIANA CONTESTED ELECTION.

The Election Committee of the House considered the Louisiana contested election case to-day. Mr. UPSON, who is in charge of the report, presented its points, which were approved by the majority of the Committee. They are, in effect, that SIMON JONES was not elected, but that Col. MANN (deceased) was elected, and that neither Col. HUNT nor Mr. MENARD, who claims it under the recent election, is entitled to a seat, fraud and intimidation having invalidated that election. There will be also a minority report soon.

THE ST. LAWRENCE RIVER.

The Committee of Ways and Means has agreed to report the House resolution opening a Conference with the British North American Provinces as to the navigation of the St. Lawrence and as to commercial intercourse, reserving all final action for Congress. The same Committee has also agreed to report a bill exempting from duty the ocean cable bought for the Collins Russo-American Telegraph, and now in bond.

THE PARDON OF DR. MUDD.

The pardon of Dr. MUDD, one of the conspirators for the assassination of President LINCOLN, sentenced by the Military Commission which tried him for the offence to be confined at hard labor for life at Dry Tortugas, was signed by the President to-day and sent to the State Department, where it will receive the signature of the Secretary of State and the seal of the United States, and then be sent to the commanding officer at the Dry Tortugas, where it will arrive about the middle of next week, and Dr. MUDD will be liberated. The pardon is accompanied by a report of the Attorney-General, made by direction of the President, embracing the history and points of the case and reciting the various considerations moving the Executive to grant the same, which are chiefly that there now appears to be some doubts as to the complicity of said MUDD in the conspiracy he only rendering aid by attending to the wounds of the chief conspirator; that the medical profession of Harford County, Md., have satisfactorily shown that it was the professional duty of said MUDD, as a physician, to attend BOOTH when called upon, and further, that he was attentive to the sick at the Dry Tortugas during the prevalence of the yellow fever at that post last Summer, saving the lives of many officers and soldiers, besides that of Mrs. SMITH, wife of Surgeon JOSEPH SMITH, United States Army, who himself died of the fever. It further recites that his pardon has been recommended by thirty-nine Senators and members of the House of Representatives, by over three hundred of the officers and soldiers of the Dry Tortugas, and others.

THE DYER COURT OF INQUIRY.

The Dyer Court of Inquiry, to-day, completed the examination of Col. BARCH, after a long session, and then adjourned until Monday, on the motion of the counsel for the accused, in order to allow the counsel to examine the records of the Ordnance Office.

THE SUPREME COURT.

In the Supreme Court to-day the following cases were heard:

No. 61.—The Board of Supervisors of Lee County, Iowa, plaintiffs in error, vs. The United States ex rel. [illegible] county in aid of the Keokuk, Mount Pleasant and Muscatine Railroad Company; cause submitted.

No. 88.—The Agawam Woolen Company vs. Jordan. The argument in this patent case was continued.

FORTIETH CONGRESS.

THIRD SESSION.

SENATE.... WASHINGTON, Thursday, Feb. 11.

Mr. POMEROY presented a memorial for equal suffrage, particularly in the District of Columbia.

COMMITTEE REPORTS.

Mr. RAMSEY, from the Committee on Post Offices and Post Roads, reported a joint resolution giving the assent of the United States for the construction of a bridge between Cincinnati, Ohio, and Newport, Ky. Passed.

Also, from same Committee, a bill giving the assent of the United States for the construction of a bridge between New-York and Brooklyn, which, at the suggestion of Mr. MORGAN, was laid on the table.

Mr. FRELINGHUYSEN, from the Committee on the Judiciary, asked to be discharged from the further consideration of the resolution directing the Committee to inquire into the practicability of preventing the discharge of convicted criminals, under Judge UNDERWOOD's decisions in Virginia, on the ground that the Committee did not think it proper to interfere by legislation with special adjudications of a Court.

Mr. CHANDLER, from the Committee on Commerce, reported favorably the House bill for the repeal of the tonnage duties on Spanish vessels. Also, favorably, the bill appropriating $25,000 for the purchase of additional ground for the Nashville Custom-house. Also, adversely to the House bill to repeal the act of March 3, 1867, regulating the disposition of fines and forfeitures received under the Customs laws, &c.

Mr. MORGAN, from the Committee on Commerce, reported, with amendments, the House bill declaring that the bridge across the East River, between Brooklyn and New-York, shall be a post road when completed, in accordance with the laws of New-York.

The amendment consists of proviso that the bridge shall be so constructed as not to obstruct, impair or injuriously modify the navigation of the river, and that the Secretary of War shall, after full examination of the detailed plans, maps and the information to be furnished him by the Company, approve the plan and location of the bridge as conforming to the prescribed conditions last named. The bridge shall not be commenced until this approval be secured, and all changes of plan made during the progress of the work should be subject to the same approval.

A RESOLUTION OF CENSURE.

Mr. DAVIS offered the following resolution:

Resolved, &c., That the noisy and disorderly conduct of BENJAMIN F. BUTLER, a Representative from the State of Massachusetts, and other members of the House of Representatives, in the Representative Hall on the 10th day of February, during the time the President of the Senate, in the presence of the Senate and House of Representatives, was opening the certificates of the votes of the electors for President and Vice-President of the United States from the several States, and while said votes were being counted, whereby said business was disturbed and obstructed, is disreputable to said BENJAMIN F. BUTLER and the other Representatives acting with him and a wrong and an insult to the people of the United States.

Mr. FERRY—Let it go over.

The resolution accordingly went over under the rule.

PRIVATE RELIEF.

Mr. CRAGIN called up the bill for the relief of HENRY E. NOYES, of Claremont, N. H., directing the Secretary of the Treasury to issue to him a new $1,000 bond in place of one destroyed.

Mr. CONKLING called attention to the great importance of being satisfied beyond the possibility of doubt that the bond was actually destroyed.

Messrs. FRELINGHUYSEN and CRAGIN said the circumstances of the destruction of the bond were fully proved by the affidavits, and by fragments of the bond itself.

Mr. HOWE wished it to be understood that the Committee on Claims, being composed of human beings, and therefore fallible, could not absolutely guarantee the Government against wrong in such cases.

The bill was then passed.

On motion of Mr. DRAKE, the Senate took up the bill for the relief of CELESTIA P. HART. It pays her $8,000 as compensation for the use by the Government of a gun-elevating screw, invented by her late husband, SAMUEL E. HART.

Mr. CAMERON opposed the bill on the ground that the deceased Mr. HART was an officer of the Government, which was, therefore, entitled to the benefit of his services and skill without giving him or his representatives extra compensation.

Mr. DRAKE said that Mr. HART was not a naval officer, but a naval contractor, and that his invention had been very valuable to the Government, and that he had left a widow and four children who needed and were entitled to compensation.

Mr. ANTHONY said the Committee were so well satisfied of the great value of the invention, and of the justice of the claim of Mrs. HART, that they would have increased the amount of the appropriation, only that the bill would then have to go back to the House for concurrence, and might, therefore, fail to pass this session.

The bill was then passed.

THE CURRENCY BILL.

At the expiration of the morning hour, Mr. SHERMAN moved to proceed to the consideration of the Currency bill.

Mr. CHANDLER moved to take a recess from 4:30 to 7 o'clock this evening, the session to be devoted to the consideration of the River and Harbor bill, and other matters reported from the Committee on Commerce.

Mr. FESSENDEN objected.

Mr. SHERMAN's motion to take up the Currency bill was then carried.

Mr. CHANDLER moved to postpone that bill to allow him to renew his motion for an evening session. Carried.

The motion for a recess was then carried, and the Senate resumed the consideration of the Currency bill, upon which Mr. CONKLING addressed the Senate.

SPEECH OF MR. CONKLING.

Mr. PRESIDENT: It is not my purpose to descant upon finances or currency, nor to discuss the multiplied theories and plans of treatment to which the monetary situation of the country has given rise. Three-fourths of the session has gone, and I cannot doubt that the two Houses of Congress ought so to govern themselves that the necessary measures of legislation will be perfected and disposed of by the 4th of March. Those who look with favor or indifference upon an extraordinary session of Congress as the concomitant of inaugurating the New Administration, not a session convened by the President for reasons then apparent and adequate, but a session into which we are to drift inadvertently, or purposely, will, of course, see no objection to considering at large new questions engaging public attention, whether their consideration promises legislative action or not. My own conviction is, that we should bend the energies of the session to the dispatch of such actual measures as command attention by their urgency, as well as by their importance, and resolving to leave nothing undone which may not without serious detriment abide the next Winter session. The subject of the pending measure, however it may be with the measure itself, is of grave importance and commanding urgency. The bill is proposed as a means of changing for the better the financial circumstances of the country. If it will do this it deserves at once our whole attention and all our votes. If, on the other hand, it promises nothing desirable, its presentation will confirm the fear which has of late abided with me that a better administration of our finances and sounder legislative principles respecting them must wait for the advent of a new Secretary of the Treasury, and for methods and assurances to be evolved by him, or at least with his coöperation. To find the true value and utility of the five sections proposed, I take them up in order for examination within limits only so large as to embrace such effects as would seem to be easily foreseen. The first section, leaving the proviso out of view for a moment, legalizes contracts specifically answerable in coin. This presents a question of which much might be said. The Senate, however, has heretofore adopted equivalent provisions, and has thus determined the expediency of trying the experiment. Nevertheless, should it be again decided to try it, all must look with some concern for the result. None can know in advance that to withdraw a large body of the commercial transactions of the country from affinity and sympathy with the circulating medium which will still remain, will not tend to depreciation greater than now exists. But the proviso which concludes this section, suggests the first point to which I ask the attention of the Senate. I read the section including the proviso. It was obviously the conviction of those who appended this saving clause, that it would be unsafe to legalize bargains for payment in coin, leaving all persons free to make such bargains or not. Hence a guard is set over some persons. Who are they? First, borrowers of money. They must, it is thought, be protected against the rapacity which would, as a condition of the loan, exact coin in return for borrowed money. If the soundness of this position be granted, and if it be granted also that the language employed would secure the protection desired, a noticeable commentary arises. We declare that it is wise to make it optional to enter into agreements which coin alone can satisfy, and in the same breath we declare that safety requires one-half the commercial transactions of the country to be preserved from the exercise of such adoption. It is no exaggeration to say that one-half of our commercial operations involve the loan of money directly or indirectly, and if it be true that the parties themselves cannot be trusted to make their own bargains, the fact is not suspicious in the indications it affords of the nature of the proposed experiment and its possibilities of evil. If we agree with the Committee that borrowers should be insured against the exaction of repayment in coin, we must then consider whether such provision as this would be adequate or efficient. At this point the inquiry is, would not evasion be easy? While a widely difference in value remains between gold and currency, no man would borrow currency to be returned in coin, dollar for dollar. No legislative restriction is made to guard against such imprudence. The transaction against which the Committee must have intended to guard is that of loaning currency the amount of which is adjusted between lender and borrower to be returned in gold, the amount of which is also adjusted in the same way. This being prohibited in the manner proposed, what alteration would be necessary to bring the same loan within the permission of the law? Only to agree in form to lend and pay coin, and therefore the lender to render the sum loaned in currency checks, drafts or other representatives of value equivalent to the coin, making first such allowance, and only such allowance, for the difference in value between coin and currency as the parties themselves might fix. The safeguard of the Usury laws would be no better than a bending reed to prop the purpose of such an enactment. Would not the provision thus be worse than a dead letter, worse than unobserved law, because an evaded and safely-violated law? The proviso next seeks to remove beyond the operation of the section all contracts for the removal or extension of an existing indebtedness. Will the object here sought be attained? The lender in the case of an existing indebtedness, like the lender in the case already put, would make himself secure under the law, by simply advancing to his debtor the amount due upon a new agreement to a loan consummated by the standard of coin at a price agreed upon. In both instances, the whole result must be confined to the agreement insisted upon on the one side, and acquiesced in on the other. The attempted protection extended to renewals and extensions has a qualification which it seems to me cannot have been considered in all its bearings and results. The bill declares that the section authorizing contracts dischargable only in coin, shall not apply to agreements for the renewal or extension of an indebtedness under a contract already entered into, unless such contract originally required payment in coin. Transposing this provision, it is that all contracts originally payable in coin may be extended or renewed with a condition requiring payment in gold. I do not stop to consider the scope of such an enactment in its possible application to engagements entered into since the suspension of specie payments. The honorable Senator from Ohio, (Mr. SHERMAN,) commending the Message to the Senate, reminded me of the doubts enveloping questions hinging upon the fate of the Legal-tender acts. I pass over the suggestions which might be deduced from the hints he gave us, and ask the Senate to observe that the proposed qualification would give a preferential advantage to every indebtedness existing antecedent to February, 1862. Every bond and mortgage given, as long ago as seven years, all State stocks, all railroad securities and all indebtedness of every description antedating the rebellion would at once be payable in specie, unless discharged without renewal or extension. What would be the effect of this upon debtors everywhere? What would be the effect in States and regions in which Stay laws have been passed as barriers against Sheriffs' sales of household goods? Those who, during past inflations, have not been able to pay their debts, are not likely to be able to pay them now, and are still less likely to be able to pay them should we create at once an all-pervading necessity for simultaneous payment of all the matured individual indebtedness of the country which arose before specie payments were suspended. Is it not manifest that if coin contracts may not safely be permitted in all cases at the option of the parties, they cannot safely be permitted under restrictions no more effectual and discriminating than these? The second section is little more than a repeal of so much of section 5 of the act of Feb. 25, 1862, as devotes an amount of Customs duties equal to one per cent. of the entire debt of the United States, and the interest of that amount, to the gradual extinction of the public debt. On the 1st of January, 1869, the interest-bearing debt was: Funded debt, $2,107,335,350; three per cent. certificates, $55,365,000; total, $2,162,700,350. I do not include compound interest notes, because their interest has ceased, or should cease. The annual interest is, say, $126,000,000. Section 2 of the bill proposes to set apart $140,000,000 for the payment of the interest and for the reduction of the debt, which sum is to be in lieu of the sinking fund already referred to. The interest being $126,000,000, there would remain of the $140,000,000 but $14,000,000 to take the place of the sinking fund. As the total debt, whether bearing interest or not, is about $2,500,000,000, one per cent., as now provided for a sinking fund, amounts to $25,000,000 and the interest upon it annually. Thus, in effect, $14,000,000 is to take the place of $25,000,000 and the interest upon that sum. Should the provision become law, and be treated with as little regard as has been paid to the provision it will supersede, no harm, at least, will come of the change. That good will come is not, perhaps, equally apparent. Section 3 finds a swift and sure mode of reducing to par in currency the ten-forty bonds, and consequently of depreciating all other Government bonds in the same proportion. Any one may buy ten-forty bonds at par in lawful money. This is the substance of the section. Why should this be? These bonds are now 108¾, with current coupons on five months' accrued interest; that is to say, two per cent. in coin, or three per cent. in currency, leaving the net value of the bonds 105¾. Why sell them for par? Why issue more bonds at par and reduce all existing similar bonds to the same point? The effect would be to depress them below par. The amendment of the honorable Senator from New-Jersey, (Mr. CATTELL,) allowing the bonds to be exchanged again for currency at the option of the holder, might prevent their sinking below par, but could not raise them higher. Having referred to this amendment, I may say it was thoroughly considered in the Senate on a former occasion, and rejected by a decided vote. It proposes to make the Government the custodian of such money as individuals may choose to deposit at the Treasury, and to charge the Government with 5 per cent. in coin for the privilege of keeping it without even the privilege of using it. The currency is to be loaned to the Government on call at 5 per cent. in coin. One effect it seems to me would be to turn the existing currency into bonds, which would themselves become currency and pass from hand to hand, preferred to bank notes or legal-tender notes because bearing interest and convertible back again at any moment into notes. This would result in the payment of interest upon the whole or a large part of the legal-tender currency. The Senator from Oregon proposes to restrict the par sales of ten-forty bonds to $2,000,000 a month. In one sense this might diminish the evil, but in another I fear it would aggravate it. Once a month there would be a moderate spasm of contraction; once a month there would be an immoderate scramble for the forthcoming bonds; and thus if the same depression of the market value of securities did not occur, fluctuations, alleged favoritism and recurring contractions must ensue. Section 4 empowers the Secretary of the Treasury to issue demand notes, payable in gold, and with them at his discretion to purchase Government six per cents; and at the option of the creditor they are also payable for coin liabilities of the United States. The issue is limited to the amount of coin and bullion in the Treasury, and they may be released as the exigencies of the public service may require. Before consenting that such power should pass into the hands of a Minister of Finance, if I could not take "a bond of fate," I should at least require to know who the Minister was to be. He should be fit, not only to administer his department, but to be the autocrat of the market. Men would laugh, or they would cry, at the wave of his wand. Before coming, however, to the great discretion proposed, other topics present themselves. It is proposed that at the same time and at the same place two kinds of currency, differing widely in their value, shall circulate in harmony. Do the annals of commercial communities furnish an example of this? Is it not an axiom that distinct kinds of money, differing greatly in their standard of value and in their purchasing power, cannot interchangeably or simultaneously circulate together in the same channels? Why does not gold circulate among us now? Because it is demoralized. It is a commodity like diamonds or pearls. It has, however, the image and superscription of money still, and it circulates as money all about us. But wherever our paper money goes, gold vanishes. Gold and silver are driven out simply because there is a cheaper circulating medium. The cheaper money of the two must monopolise the field it occupies until one of two things occurs. When the currency that was cheaper than coin, either by becoming scarce or by becoming the symbol of metallic currency, coincides in value with coin, all distinction disappears, and each is convertible into the other. So, on the other hand, when the cheaper currency becomes so redundant or suspected, and hence so worthless as to be discarded or repudiated, it is driven out altogether and the genuine circulation reappears. Upon what theory would gold notes fare better or worse than gold itself? They would be based upon coin and bullion actually in the vaults of the Treasury. Each note, therefore, would be the symbol and representative of an amount of gold equal in value to its denomination. It would be more portable and convenient to handle, but it could have no other quality to distinguish it from a metallic token. The gold certificates now authorized illustrate this. California and the communities on the west coast, referred to by the Senator from Ohio, furnish no illustration of the feasibility or possibility of keeping afloat at the same time and place currencies of different standards. In these localities, as in Canada and other places far and near, gold and silver is the currency in use. As an attempt to infuse a new element into the actual circulation, I cannot see how such an experiment could succeed; but, as a means of producing other results, its efficacy is obvious. For commercial purposes, other than circulation, the volume of gold in the Treasury would be doubled. The gold in the Treasury would remain as it does now, but its representative would walk abroad at the same time. This would reduce the price, and reduction of price would, as it always does, increase the export. Coin notes could not be sent abroad, but gold could be sent, and would be sent more and more as its value here was diminished. The issue by banks of coin now proposed in the last section of the bill, would augment the evil and thus the country would be drained of coin, and to what end? What is to be done with the proposed coin notes? The Secretary may in his discretion purchase any part of the securities of the United States bearing six per centum interest. This is one thing to be done with them. Is it a good thing? Is it a safe thing? At what rate or upon what adjustment of equivalents is it to be purchased? The bill does not inform us. Is he to pay dollar for dollar? Is he to say to A I will buy your bonds for their face, and pay you in coin notes? If he is to say this to A, what is he to say to B? What may he not say to C? Is there not, under existing laws, room enough for unwholesome favoritism, and room enough for unfortunate suspicions? Another thing the Secretary may do with coin notes is to pay them out for coin liabilities of the United States. Why? Why make for this purpose, when we have and must have the equivalent gold all the time lying in our vaults? But, look at the discretion reposed in the Secretary, the discretion, the enormity of which led the Senator from Oregon to give notice of an amendment taking some part of it away. The purchase of bonds is to be at the discretion of the Secretary of the Treasury. Is there no limit to this discretion? No limit to the amount of bonds he may purchase? Yes, there is a limit. What is it? Why, he must not for this purpose use coin notes amounting to more than all the ten-forty bonds he can put off at par. There is a limit, and it embraces, until the whole amount of gold in the Treasury is reached, the entire legal-tender volume of currency, with the remnant of outstanding compound interest notes added,—for they, too, have been deemed lawful money,—substantially as bank reserves. But go a little further. What is to become of the legal-tender notes received for the ten-forty bonds? Just what the Secretary pleases. If he chooses, he may issue coin notes for as many dollars as he receives legal-tender notes for ten-forty bonds. And then what follows? Does anything certain or fixed follow? No. Discretion is piled on discretion. The Secretary may then pay away the coin notes for six per cent. bonds, and if he does, then he is to destroy the legal-tender notes; and if he does not, why, then the legal tenders are to find their way back into the world again. And thus holding the market in his grasp, the Secretary clenches his fist or opens his hand at his will. The coin notes having gone out and returned for redemption and been redeemed bring up at last in the discretion of the Secretary. Their outgoing again depends upon the exigencies of the public service, and who has commandment or judgment upon these except the head of the Treasury Department? Thus the Secretary of the Treasury would become an Æolus, standing at the cave where chains hold the winds, ready at his bidding to blow in tempered breezes, or to go forth on errands of destruction, arresting and prostrating enterprise and strewing the land with its wrecks. Such a power shall never, by my vote, be surrendered into the hands of a Secretary of the Treasury, not if he were the wisest and purest citizen of the Republic. The commercial community has a right to be protected against whims, caprices and cabals—rings, in the phrase of the day. It has a right to protection against sudden and secret operations by the Government in the market. The nation has a right, especially in times like these, to have its Treasury kept free, as far as may be, from temptation and from even the appearance and opportunity of wrong. Before providing for more administrative latitude I would like to see the laws as they are diligently observed and enforced. If we can pass the bill to put an end to secret gold sales and other dickers, by which the market is manipulated, and by which great gains are suddenly amassed, we may hail that as a newness of life, leading toward a sound and safe condition. Whenever any funding, currency or financial bill is presented leading the same way, if I can so understand it, I will vote for it joyfully. But the present measure seems to me, as it stands, to promise more of evil than of good.

Mr. DIXON here presented what appeared to him, one of the ablest and most instructive documents he had yet seen on the financial question of the day; being a petition on that subject signed by Gen. DUFF GREEN. Tabled and ordered to be printed.

Mr. MORRILL then addressed the Senate on the Currency bill as follows:

SPEECH OF SENATOR MORRILL.

Mr. PRESIDENT: Until recently I had hoped Congress would prove equal to the task of maturing some comprehensive plan which would make sure of promptly funding our debt at a much lower rate of interest, and the elevation of the United States notes to the standard of United States coin. It was so manifest that a plain, straightforward offer on our part would enable us to give large relief in the reduction of taxes by funding our debt on more advantageous terms that it seemed impossible to procrastinate it even by the dubious pretext that terms sufficiently advantageous would not be proposed and accepted. It was so manifest that even our coin standard was not a high one, being lower than that of other nations and constantly depreciating (as I have shown on a former occasion, including, also, the standard of the world at large) from the almost fabulous amount of gold annually released from the mountains and caves of the earth, that it seemed to me not too much to expect some concerted action for the restoration of the "lawful money," so called by act of Congress, temporarily issued by the Government to the value stamped and promised on its face, which, after all, is a standard at least nine per cent. below that of the coinage of Great Britain, the most successful commercial nation of the world. The bills before us convey a large fleet of amendments more or less important. Senators must be perversely constituted if they cannot find something to approve in the range of all the various propositions before us. I am in favor of a considerable share of these propositions, and just as much opposed to some others unless they can be radically amended. That it is of primary importance at the present moment to fund our debt at the lowest practicable rate is unquestionable, and I shall therefore propose to amend the section providing for the funding of United States notes, so that any debts bearing a higher rate of interest than five per cent. may also be funded. It is one of the highest duties of Congress to so legislate that money can be readily obtained at a low rate of interest. As long as the United States Government is the leading favorite for loans in all markets, at the highest rates of interest, States and corporations, companies and individuals must follow closely in its footsteps and pay the same or more extravagant rates. The loan proposed is what is called the five per cent. ten-forty loan. This leaves the controlability of the loan in the hands of the United States after ten years, and by that time we may reasonably hope to obtain even better terms than a loan at five per cent. interest. At this time it cannot be done. If we mean, at present, to keep any part of our public debt at home it is useless to attempt it at a lower rate, and it would be deplorable to send more abroad.

Mr. MORRILL then discussed the banking system and continued: I shall offer the amendment which proposes to abandon the keeping of any reserve by banks which redeem their notes at their counters in specie, and also redeem them in its equivalent at some principal mart of the country, or wherever they are now permitted to hold any part of their reserve. The proportion of reserve of specie which every bank should hold when proceeding to redeem its notes in specie or its equivalent is unequal, and it would seem to be enough if the law should provide good and substantial security to the bill holder, in case of mismanagement and loss upon the part of the bank. This security should have a margin of at least ten per cent. beyond the amount of notes received, and be based upon the coin value of the securities, as they will at seventy-five in gold to-day may be worth eighty-five or more hereafter, and the restoration of specie payments should not be made more onerous than is necessary. In order that the National Banks may be having some little thought of an ultimate resumption, I shall propose that at fixed points of time hereafter they shall have and hold a certain percentage of their capital as a part of their assets in coin. This proposition has this advantage over that of requiring them to hold the interest paid to them in coin by the Government that if they think coin in the coming year will bear a less rate of premium than now, and are willing to run the risk, they can part with their coin now and replace it at a subsequent period, securing whatever of profit may accrue from the transaction. Whether it would be wise to fix a time for the United States to redeem its notes is somewhat questionable. To do so, if the time was not very remote, would cause the notes to be hoarded against the time of redemption, and produce what should be avoided, a stringency throughout the financial circles of the country, and when the time arrived, unless the Government was prepared to redeem the whole amount, might end in ignominious failure. But after a considerable share of the United States notes have been funded, after some portion of the National Banks have commenced operations on a specie basis, and when all have made some sort of preparation for resumption, then the United States notes can be easily raised to the level of specie and be made receivable for duties on imports, if necessary, and actually redeemed without peril. Any plan looking to the elevation of our paper legal-tender standard to the par of coin will be incomplete unless it embraces and carries along with it the elevation of the national banking currency, and these banks can only retain popular favor by being willing to be charged with their fair share of the labor of resumption. Any hesitation on their part will seal their doom. It will be a mistake to suppose this can be done without any sacrifice; but if they seek perpetuity as national institutions they must study the general welfare, and in studying that they will most certainly advance their own. But no measures should be forced upon them which would compel them to distress their debtors. The banks and the United States can approach a sound currency together much easier and safer than either alone. While the United States should do its full part as the author of our present embarrassments, the national banks must not bury their talents and come forward at the day of reckoning and say, "Lord, I knew thee that thou art a hard man; there thou hast the paper that is thine—take that." It would seem to be obvious, by permitting contracts on the basis of coin and by organizing specie-paying banks, that specie and bank bills convertible into specie would be used in the conduct of some respectable share of the business of the country, and to that extent supersede the present office of irredeemable paper currency. Much less of such paper will be required. If it should be objected that there will be two currencies in circulation, the answer would be that there are two currencies now in circulation, the best being a clandestine one; and the only effect will be to augment the best one, and thus release the coins of our own country from the degradation of circulating only in the dark. And the moment when the bank-notes begin to be redeemed one dollar will almost do the work of two; by its greater vitality, and its quicker movements, it will compensate for the lack of its present bulk. Interest accounts will also be lessened when borrowers no longer have to pay interest on $7 for the use of no more than $5. On the whole, the terrors of specie resumption will vanish, and grow less and less the nearer it is approached, and especially if it shall be inaugurated hand in hand with a system which affords an opportunity for a banking circulation coextensive with the wants and ability of the country. I have thus hurriedly reviewed, without much regard to their order, some of the propositions which have been submitted to the Senate, with the purpose of supporting such parts of the report of the Committee on Finance as my judgment approves. It will be seen that I cordially sustain the policy of funding the United States bonds at a lower rate of interest; the gradual retirement of the United States notes; the legalizing of coin contracts; the organization of free banking on the basis of a circulation equivalent to specie, and a policy generally that will not leave us as far off from a restoration of a sound currency years hence as we are now. It is unnecessary to say that I am as implacable [illegible] to the further inflation of so-called paper money, as well as to any artful dodging of the "spirit and letter" of our public obligations. The honor of our people may be won or lost here as well as in the field, and though Senators may feel that it is somewhat tarnished by the fact that any allusion to such a contingency can be justified, yet I am confident that here all will finally so act as to leave no taint on the public faith, no scar on the bosom of our country, and so as to secure the largest measure of prosperity to the American people, in whose future centres all our love and our hopes.

Mr. CORBETT followed in explanation and advocacy of the amendments offered by him to the pending bill.

EQUAL RIGHTS.

Mr. SUMNER moved to take up the bill for the further security of equal rights in the District of Columbia, which was thereupon taken up and passed.

The bill strikes out the word "white" from the laws of the District of Columbia and the charters of Washington and Georgetown. The bill had already been passed twice, but in each case within less than ten days of the end of the session, and failed to become a law because it was returned by the President.

IMPORTATION OF MACHINERY.

On motion of Mr. MORRILL, of Vermont, the bill to authorize the importation of machinery for repairs was taken up and passed.

It authorizes the importation of machinery for repairs upon the giving of a bond in double the appraised value thereof, to be withdrawn when the machinery has been repaired and exported.

A few minutes before 5 o'clock P. M.,

Mr. THAYER moved to extend the session ten minutes beyond that hour, so as to give time for a brief Executive session for the consideration of some Indian matters, which was carried. So, at 5 o'clock, the Senate went into Executive session, and soon after took a recess till 7 o'clock this evening.

EVENING SESSION.

The Senate reassembled at 7 o'clock P. M.

SUBMARINE TELEGRAPH.

Mr. CHANDLER moved to take up the bill to authorize the New-York, Newfoundland and London Telegraph Company to land its submarine cable on the shores of the United States.

Mr. CHANDLER suggested that the bill had better lay over for a time, as the Chairman (Mr. SUMNER) of the Committee on Foreign Relations, to which the bill had been referred, was not present.

Mr. TRUMBULL offered an amendment to the bill, providing that the privilege of landing submarine cables shall be given to foreign Powers only when they give to the United States the privilege of landing cables on their shores.

Mr. CHANDLER said he would accept the amendment.

Mr. HENDRICKS asked the Senator from Illinois, (Mr. TRUMBULL,) whether he had examined the question of the right of the Federal Government to grant such a privilege, and whether that right did not rather belong to the State?

Mr. CHANDLER—Let us not go into that discussion now.

Mr. TRUMBULL replied to Mr. HENDRICKS that he had not examined the question, but he could conceive that the United States Government had something to do with establishing telegraphic as well as postal communications between this and foreign countries.

RIVER AND HARBOR IMPROVEMENTS.

The bill was informally passed over, and the Senate, on motion of Mr. CHANDLER, took up the River and Harbor bill, which was read with the amendment reported by the Committee.

The first amendment was to strike out the appropriation of $80,000 for the improvement of the Wisconsin River.

Mr. HARLAN wished to be informed why that was to be struck out.

Mr. CHANDLER said that from statements made to the Committee they had become satisfied that the improvements required to make the navigation of the Wisconsin River satisfactory would cost between three and four million dollars, and that a small appropriation of $80,000, while it might readily be squandered upon the river, could not possibly produce any satisfactory result.

Mr. MORRILL, of Vermont, opposed the appropriation on economical grounds, and because the use to be made of the appropriation was not clearly stated.

Mr. CONKLING thought the latter a very bad reason which, if applied to the Mississippi, Missouri and other Western Rivers, would prevent all appropriations for their improvement. He discussed in detail the merits of the proposed improvement and said he would vote for the appropriation with pleasure.

Mr. CHANDLER congratulated the Senate upon the possession of a genius like the Senator from New-York, who knew more about every question by intuition than others could learn by the most careful investigation. [Laughter.]

The matter was further debated by Messrs. POMEROY, DOOLITTLE, HOWE and HENDRICKS.

The appropriation was struck out by a vote of [illegible] yeas to [illegible] nays.

Several amendments, striking out or reducing the appropriations for the Western rivers or harbors, were agreed to, among them one reducing the appropriation for Chicago Harbor from forty thousand to thirteen thousand dollars.

The amendment reducing the appropriation for Michigan City Harbor from thirty-five thousand to ten thousand dollars was vigorously opposed by Messrs. MORTON and HENDRICKS, and without acting upon it, the Senate, at 10:10 o'clock, adjourned.

HOUSE OF REPRESENTATIVES.

The Speaker stated the first business in order to be the question of privilege pending at the adjournment last evening, being the resolution offered by Mr. BUTLER, of Massachusetts, protesting that the counting of the vote of Georgia, by the order of the Vice-President, was a great act of oppression, and an invasion of the rights and privileges of the House. The Speaker stated that he had asked Mr. DAWES, of Massachusetts to preside during the discussion of the question of privilege. The Chair had decided that the resolution presented a question of privilege, and had subsequently on the floor expressed the opinion that, in fact no right or privilege of the House had been invaded. He therefore felt that it would not be proper for him to preside, and he had asked Mr. DAWES to do so. Before leaving the chair he would ask the House to authorize the Speaker pro tempore, to appoint the Committee on the part of the House to wait upon the President and Vice-President elect, and notify them officially of their election.

Mr. BUTLER—As this thing must be discussed at length and as time is pressing, I suggest to the House, although I have no preference myself, that after the remarks of the gentleman from Ohio (Mr. SHELLABARGER,) who is to oppose the resolution, the resolutions shall be referred to a Select Committee, and on the report of that Committee a full discussion can be had.

No understanding on that point was arrived at, and Mr. DAWES took the chair as Speaker pro tem.

The Speaker pro tem. appointed Messrs. WILSON, of Iowa, and PRUYN, of New-York, to wait on the President and Vice-President elect and notify them of their election.

Mr. SHELLABARGER proceeded to address the House in opposition to the resolution offered by Mr. BUTLER. He prefaced his remarks by according most sincerely and fully to the gentleman from Massachusetts that integrity of purpose and that desire fairly and properly to dispose of the important matter before the House which he claimed for himself. It was not wonderful that they had fallen into doubt and trouble about a matter so new, so undefined, and in regard to which they were so unaided by precedent. Mr. SHELLABARGER proceeded to quote the several commentaries on the Constitution which had any bearing on the question, and summed up the application of his quotations by saying that if Chancellor KENT were right, and if the President of the Senate had the power to do the counting, then clearly the House was invading his rights in attempting in any way to control that count, except to see that it was honest.

Mr. BUTLER—How are we to see that?

Mr. SHELLABARGER—The gentleman must go for his answer to Justice STORY, who regrets that the Constitution had not made a detailed provision for the case. The gentleman cannot defeat the argument by showing that there may be defects, or a casus omissus found in the Constitution. If it be not the President of the Senate who does the count, but the two Houses in joint constitution, then, I ask, what privileges of the House have been invaded by the refusal of the President of the Senate to recognize the separate vote of the House of Representatives which separate vote it had no authority to give. He went on to argue that the concurrent resolution in reference to the electoral vote of Georgia was not unconstitutional, and that it was copied from a similar concurrent resolution adopted at the time of the election of President MONROE.

Mr. THOMAS related how, thirty-two years ago, he had been a teller to count the electoral votes when Mr. VAN BUREN was elected; how a difficulty then existed in relation to the State of Michigan, and how Mr. CLAY, with his great foresight and learning, had anticipated and avoided the difficulty by preparing and having adopted a concurrent resolution similar to that under which the Joint Convention acted yesterday.

Mr. WOODWARD expressed his regret that the learned gentlemen from Ohio and Maryland, (SHELLABARGER and THOMAS,) had not been present the other night, when the concurrent resolution was adopted, to make an argument against it.

Mr. SHELLABARGER said he was here and had voted for it; and that his argument to-day was that it was constitutional and proper.

Mr. THOMAS also corrected Mr. WOODWARD in assuming that he (Mr. THOMAS) was opposed to the concurrent resolution, and argued that there was no analogy in the cases of Georgia and Michigan, as cited by Messrs. SHELLABARGER and THOMAS. The case of Georgia was the exclusion of an organized, recognized State of the Union, having Representatives on the floor of the House. It was not the case of an unformed Territory, where the question was as to its admission as a State, and whether it was fully qualified. He argued that the presiding officer yesterday did what it was his duty to do. He was right in holding the two bodies to the concurrent resolution which they had adopted, whether good, bad or indifferent; it was the law of the body, and the President of the Convention could not depart from it. He would rather vote for a resolution to applaud the President of the Senate than for a resolution to censure him, and he believed that the resolution should never have been adopted. If Georgia were treated that way this year, what was to prevent other States from being treated in the same way at the next Presidential election? Would it be said that Georgia was not in the Union? Why then were her members on the floor of the House, and what right had they to be there if Georgia was not in the Union? Georgia had been in the Union from the beginning, and had never been out of it, unless (as had been alleged, and what he denied,) Secession had taken her out. She was not only the original Georgia, but she was the Georgia that had been reconstructed under this Republican Congress. Why, then, should not her vote be counted as well as the votes of the other States? There was no more reason for counting the vote of Georgia with a slur, or not counting it at all, than there was for treating the vote of Pennsylvania in the same way. He was opposed to the resolution of the gentleman from Massachusetts, but, at the same time, if the proposition had been to repeal the concurrent resolution, no member would have voted for it more cordially or more heartily than himself.

Mr. ELDRIDGE, having three minutes allowed him, declared his belief that the concurrent resolution and the twenty-second joint rule were both of them in contravention of the Constitution. He had raised that question of order yesterday, and if it had been sustained, all the difficulties in which the House and the Convention were involved yesterday would have been avoided. The Constitution provided expressly that the President of the Senate should count the electoral votes in the presence of the House and the Senate. He said it was his duty, therefore, to simply open and count the votes, and their concurrent resolution was, in his judgment, an utter nullity.

Mr. BINGHAM, of Ohio, said he agreed with the gentleman from Massachusetts (Mr. BUTLER) that this was a very important question. He thought that the resolution of censure was a proposition that the members of the House should solemnly, by vote, declare themselves violators of the law under their oath. It was a controlling principle with him, that whether satisfied with a law or not, he was bound to obey it. The concurrent resolution under which the Joint Convention had acted yesterday was obligatory on the presiding officer of the Senate, and he would tell the gentleman from Massachusetts that it was too late for him to come with his ad captandum speeches, and to arraign the Constitution of the country and its makers and builders. It was the business of the presiding officer of the Convention yesterday to do exactly what he did do, and bow with respect before the requirements of the concurrent resolutions; and yet, the gentleman (Mr. BUTLER) came before the House with his resolution and asked the House to pass it or refer it. He (Mr. BINGHAM) would ask the House to pass on the question, because he could not, as a representative of the people, consent that a proposition of that sort should, even by intendment, meet his approbation. The resolution offered by the gentleman from Massachusetts was contradicted by the written record. That record was made up in the very letter and spirit of the concurrent resolution, and now, he continued, comes this gentleman asking the House to stultify itself—to say to the country, in fact, that the people must—to use the gentleman's own words—"have recourse to the sacred right of revolution." Sir, the right of revolution is never sacred, save when exercised in vindication of a right and in redress of a wrong. The sacred right of revolution is invoked here for the purpose of violating your own law.

Mr. BUTLER—Will the gentleman allow me?

Mr. BINGHAM—No, Sir.

Mr. BUTLER—I only want to say that you are not using my words in the connection that I used them in.

Mr. BINGHAM—The gentleman's remarks do not appear in the Globe this morning, but I find the gentleman's speech reported by the official representatives of the Press of the country. I am glad that the gentleman takes back his words.

Mr. BUTLER—I take back nothing.

Mr. BINGHAM—Then I ask the House to compel you to take back your revolutionary resolution—that is something that the gentleman cannot retract, and I denounce here to-day before the House and before the people of the country as being as unwarranted as any act of secession. I denounce, as a representative of the people, this attempt to inaugurate a revolution on the floor of this House. I will oppose the reference of the resolution as seeming to commit the House in some sort to a challenge of your own law. How would it look for us to refer another resolution suggested by the speech of the gentleman, (Mr. BUTLER,) and that is, that the House should be authorized, to use the gentleman's language, if the Senate would not retire from the Joint Convention, "to kick it out"? The gentleman from Massachusetts should be the captain in the kicking operation. [Laughter.] I think the gentleman cannot gainsay his speech in that behalf, which brought down the galleries and split the ears of the groundlings, and it illustrated the animus of his resolution. I denounce it here, as a resolution of revolution; I denounce it as a resolution of anarchy—the idea of the House of Representatives kicking the Senate of the United States. About that time you will have kicked the law-making power out of existence; you will have proved yourselves greater architects of your country's ruin than did the million of men who for four years waged war upon your Constitution and your laws, drenching your land with blood and bridging it all over with graves.

Mr. BUTLER (aside)—I always did like that speech of BINGHAM's. [Laughter.]

Mr. BINGHAM, not hearing the remark, went on to say, it was the sworn duty of the President of the Senate to obey the law, whether he approved it or not. And for doing so this House is to censure him and charge him with oppression of the House, and invasion of its rights. Mr. Speaker, it will be a sad day for America when it goes out to the country, that the House of Representatives denounces a commissioned officer of the people, acting under the obligation of his oath, for obeying the law, even in the presence of a mob which would disgrace any assembly of men that ever convened on the face of God's earth. I honor that gallant old Roman (meaning Senator WADE) for standing in his place yesterday and saying, "Come what will, I will abide the law." Notwithstanding the clamor, he stood there without anger, without passion, demanding that the tellers, as required by the concurrent resolution, should announce the result, not contrary to the law, but in accordance with its express conditions. If BEN WADE had never done any act in his life, that act entitled him to the respect and consideration of his countrymen, and if he had fallen amid the clamor and tumult which the gentleman raised yesterday it might be written on his grave: "Go tell those who survive me that I lie here in obedience to your law, and in defiance of the clamor of the mob." Sir, I denounce the gentleman's proposition of anarchy; that anarchy which has no head and cannot think; that anarchy which has no heart and cannot feel, but in its frenzy and in its madness, tramples down law and order—tramples childhood and youth and defenceless womanhood and vigorous manhood—which, in its fury and its madness, puts out the light and scatters the sweet voices of home. I ask the representatives of the people to put their seal of condemnation upon it, and to put the thing on the table there to rot.

Mr. SCHENCK was the next speaker. He said that there was nothing further from his intention than to indulge in any warmth or excited feeling about the question. No person could regret more than he did the very painful scenes that took place here yesterday. The disorder, it might be said, was principally on his side of the House, and confined to members of the House of Representatives, and to members of the dominant party of the country. From that he drew this lesson and this inference: Here sat Republicans witnessing with satisfaction the result of their labors in the late campaign, knowing that those whom they had chosen to be President and Vice-President were to be declared elected as such, and therefore it could not be supposed that those who manifested excitement were actuated by a disposition to interfere with and prevent the declaration of that result, for which they had so much longed, and which they were so gratified at seeing accomplished. How then, said he, do you account for it that the very friends of those who were to be declared President and Vice-President should have been the persons who made objection to the course of procedure here, unless you give them credit for some feeling of indignation or sense of impropriety in the character of that proceeding. I shared in that feeling with others, and sharing in it, and believing that all that then occurred, occurred in such a way as to raise a very grave and important question with reference to the relative rights of the House and Senate before the people of the country, and am not disposed either to be seduced by the rhetoric of my colleague, (Mr. BINGHAM,) or by any general denunciation from any source from asserting what I believe in reference to the manner in which the Senate, and the presiding officer of the Senate, transcended the limits which ought to have abided in the action of the Senate in connection with the House of Representatives yesterday. My colleague (Mr. SHELLABARGER) who first addressed the House this morning, gave us, in his very forcible and logical manner, his views of the case as it involves questions of constitutional law and legislation. I think, however, that my colleague was not so happy as usual in connecting his premises and conclusions in that argument of his.

Mr. SCHENCK proceeded to criticise and to reply to the legal and constitutional arguments of his colleague, and also to show the absurdity of the proposition that the Joint Convention was bound and concluded by the concurrent resolution. He illustrated the latter point in this way: Suppose the President of the Senate should find a certificate in the vote of a State without any signature or seal, was he to count it? Suppose he found in the envelope an old newspaper. Suppose the electors of Georgia had met in the capital of South Carolina, was not the Convention to take notice of that because the concurrent resolution did not touch it? Or suppose that the votes of Georgia were reckoned as twenty instead of nine, was the President of the Senate acting still in his mere automatic capacity to get up and say, "If you count these votes for Georgia the result will be so and so, and if it not it will be so and so." The concurrent resolution did not touch the question as to what should be done when the certificates were opened. It did not reach the question of counting. It dealt with none of those grave, serious forms that were to be observed, in order to know whether the count was to take place or not. It stopped at the threshold, or preliminary question, and provided what should be done, so that there should be no committal on the question of Georgia being a State in the Union. But it left all that related to the count, and the form of certificate to its sufficiency, entirely open, to be disposed of under the joint rules of the two Houses. That was the proposition. Gentlemen had all along begged the question, and none more so than his colleague

(Continued on Tenth Page.)

SOUTH AMERICA.

Additional Diplomatic Correspondence in Relation to the Detention of Minister Washburn in Paraguay.

We print below an additional number of letters from Mr. Webb, Mr. Seward, Mr. Paranhos, and others, relative to the difficulty with the Brazilian authorities in regard to the passage of the steamer Wasp through the lines of blockade established by the Allies on the Paraguay River:

MR. WEBB TO MR. SEWARD.

Legation of the United States, Rio de Janeiro, July, 1868.

Sir: I have the honor to inclose a communication from Rear-Admiral Charles H. Davis, commanding the United States South Atlantic Squadron, in which he advises me that the United States steamer Wasp, sent by him to Asuncion to bring from there our Minister, Mr. Charles A. Washburn, and family, and thereby remove them from their "embarrassing and possibly dangerous situation," has been prevented passing the lines of the Allies by the Marquis de Caxias, the Brazilian commander of the Allied forces.

You will perceive from the correspondence accompanying Admiral Davis' communication that the United States steamer Wasp arrived at Curupaity, the headquarters of the Allies, on the 25th of April, and remained there until the 11th of June—forty-seven days—when her commander was compelled to return to Montevideo without accomplishing the object of his visit, in consequence of the persevering refusal of the Marquis de Caxias to permit the steamer Wasp to pass up to Asuncion, although he was very willing to send a Brazilian iron-clad up the river under a flag of truce and the protection of the Stars and Stripes, to spy out the state of affairs in Paraguay. Nay, he was quite willing that on the return of the iron-clads she should, similarly protected, pass Humaita and land Mr. Washburn and family below that fortress; which iron-clad, it is said, cannot repass that stronghold!

The Admiral's report of what has occurred on the Paraguay was placed in my hands on the 1st day of July, and on the 2d at 2 P. M. my Private Secretary and Clerk of this Legation, placed in the hands of the Minister of Foreign Affairs the official note of which inclosure B is a copy.

I assume that your opinions, as expressed in dispatches Nos. 170, 171, 174 and 180, and the instructions therein in regard to Mr. Washburn's detention in going to his mission in 1866—there being no other mode of reaching it then by the Paraguay River—are equally binding upon me in regard to his return, when at your request a national vessel had been sent for him, in the well-grounded conviction that "the settlement of this annoying question" in 1866 was a finality. The offence at that time perpetrated against the "sovereignty and honor of the United States," might be palliated on the plea of ignorance, but not so now; and consequently, its repetition by the Marquis de Caxias, and the circumstances under which it has taken place are doubly offensive, and, doubtless, are intended so to be. Such, at all events, is public opinion here; and as the fact of the Wasp's return was officially known to this Government, and communicated to the Press eight days before the Admiral addressed me on the subject, and as up to this time it has not leaked out that I have moved in the matter, the triumph of Brazil is considered complete.

You will perceive by my note to the Minister of Foreign Affairs that I assume the Marquis de Caxias has acted without authority, and that his conduct will be apologized for and disapproved; and, thereupon, I demand his censure in the language you used in instructing me to make a similar demand in reference to the conduct of the President of Maranham; and consequently, I urge the immediate issue of instructions to permit one of our national vessels to proceed to Asuncion without delay or hindrance from the Allied forces at Curupaity.

Very respectfully, your obedient servant,
J. WATSON WEBB.
Hon. William H. Seward, Secretary of State.

MR. WEBB TO SENHOR SILVEIRA DE SOUZA.

Legation of the United States, San Domingo, July 1, 1868.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, begs leave to inform His Excellency Joao Silveira de Souza, Councilor to His Imperial Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, that he has this day received a communication from Rear Admiral Charles H. Davis, commanding the South Atlantic Squadron, informing him, that the United States steamer Wasp, sent by him to Asuncion for the purpose of bringing from that city the United States Minister, Charles A. Washburn and family, has been prevented by the commander of the Allied forces, from going to Asuncion, as her commanding officer was ordered to do, in the performance of a duty to which he was assigned by command of Admiral Davis, in obedience to instructions from the Secretary of the Navy, based upon an application from Hon. William H. Seward, the Secretary of State of the United States; and in consequence of such grave denial of the rights of the United States, the commander of the steamer Wasp, after making repeated applications to pass the lines of the Allies engaged in a war against the Government of Paraguay, has returned to Montevideo, and reported to the commanding officer of the United States South Atlantic Squadron that he has been prevented from executing the duty upon which he was detached, by the peremptory refusal of the Commander-in-Chief of the Allied forces, Marquis de Caxias, to permit him to pass his lines on the Paraguay.

This very extraordinary and most unjustifiable proceeding on the part of Marquis de Caxias, "Commander-in-Chief of all the Brazilian forces and in the interim of the Allied armies," as he signs himself, is in open defiance of the rights of the United States; and in view of what transpired between the undersigned and the Government of his Imperial Majesty in August, 1866, an outrage against "the sovereignty and honor of the United States," which calls for prompt and severe censure of the offender.

When, in 1861, the President of Maranham outraged the feelings of a friendly nation by admitting the pirate Sumter within his port, and furnished her with the necessary coals and provisions wherewith to continue her depredations upon the unarmed and unprotected commerce of the United States, and when the then Minister of Foreign Affairs justified that act of the President of Maranham, the Secretary of State of the United States said, "The proceedings of the President of Maranham and the approval of his conduct by the Minister of Foreign Affairs is intolerable," and the undersigned was directed to "ask that such measures shall be taken in regard to the case as will make the President of Maranham sensible of His Majesty's displeasure."

The proceedings of the Marquis de Caxias against the "sovereignty and honor of the United States," is far more offensive than was the conduct of the President of Maranham; because he (the Marquis) well knew, that in 1866 the United States had formally advised Brazil that she would permit no such violation of her sovereign rights; and that Brazil had thereupon reconsidered and reversed her offensive action. He has, therefore, acted with full knowledge that he was grossly offending the sovereignty and honor of the United States, and setting at defiance its remonstrances and the recognition of those remonstrances by Brazil.

Real-Admiral Davis, in his official note to the undersigned, says: "Acting under instructions from the Secretary of the Navy, I recently sent the United States steamer Wasp, of my squadron, to the seat of war, for the purpose of taking Mr. Washburn and family out of Paraguay, in compliance with a request from the Secretary of State to relieve Washburn from his embarrassing and probably dangerous situation." This humane purpose on the part of the Government of Washington has, your Excellency well knows, been thwarted by the representative of Brazil on the Paraguay, he well knowing at the time that he was outraging the "sovereignty and honor of the United States," and setting at defiance the explicit understanding at which the United States and Brazil had arrived in 1866.

The undersigned, therefore, deems it his duty to ask such censure of the Marquis de Caxias as, in the name of his Government, he demanded when the President of Maranham offensively placed the piratical vessel of parties in rebellion against the United States on a footing of equality with the national ships of the friendly nation against which they were in rebellion.

That Brazil will promptly and most emphatically repudiate the extraordinary and very unfriendly conduct of the Marquis de Caxias the undersigned does not for a moment doubt; and as his indefensible interference has already caused a delay of at least four months in relieving the United States Minister and his family from what his Government considers an "embarrassing" and possibly "dangerous situation," the undersigned earnestly entreats that the Government of Brazil will, without any unnecessary delay, issue instructions that all hindrance to the United States steamer Wasp passing through the lines of the Allies, be withdrawn, and promptly advise the undersigned that such hindrance has altogether ceased, in order that he may inform the commanding officer of the United States South Atlantic Squadron that there will be no further interference by any representative of Brazil with the performance of his duty to humanity and to his Government.

The undersigned avails himself of this occasion to renew to His Excellency the assurance of his respect and high consideration.

J. WATSON WEBB.
His Excellency Joao Silveira de Souza, Councillor to His Imperial Majesty the Emperor, Minister and Secretary of State for Foreign Affairs.

SENHOR DE SOUZA TO MR. WEBB.

Ministry of Foreign Affairs, Central Section, No. 3, Rio de Janeiro, July 6, 1868.

The undersigned, Councillor to His Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, has the honor of acknowledging the receipt of the note which, under date of the 1st inst., was addressed to him by Gen. James Watson Webb, Envoy Extraordinary and Minister Plenipotentiary for the United States. * * *

In reply to Gen. Webb's note, the undersigned has the honor of calling his special attention to the following: The Marquis of Caxias could not recognize Lieut. Kirkland, a subaltern of the United States Navy, in command of the Wasp, as a competent person to make a direct request for permission for that vessel to pass the war lines of their very legal and effective blockade of the Paraguay River, which he only did toward the end of May, and not four months ago, as by so doing the blockade would have been broken.

In refusing that permission the Marquis of Caxias did not ignore any right whatever of the United States, nor did he in any way wish to offend, as he did not, its honor or its sovereignty. On the contrary, he thereby maintained an unquestionable right of sovereignty on the part of the Allies in the occupation of the waters and territories of that river, where they are at present.

To have broken through that blockade in the manner which was and is requested—that is, that the Wasp should pass through the war lines of the Allies and their military positions into the heart of the enemy's territory which is blockaded, serious disarrangement in the operations of the war, at the very moment, too, when important and perhaps decisive movements were impending, would have been, yes, the disregarding of a right of the belligerents which has never been questioned, would have diminished and weakened the sovereignty of a friendly Power without the least justification, besides subjecting it and its allies to difficulties in the speedy termination of a war in which their honor is compromised.

It is further added that the refusal of the Marquis of Caxias was not peremptory, as Gen. Webb supposes. The Marquis de Caxias' objections to the way in which Lieut. Kirkland proposed to aid Minister Washburn to withdraw from Paraguay were accompanied by an exposition of the very weighty reasons he had for so doing, and at the same time offered him, with the greatest cordiality and deference, the choice of either of two means of arriving at the same result without producing any of the evil consequences which would result to the Allies from the admission of the proposal made by him in the name of that Minister.

Those reasonable means, which would have reconciled, in a most dignified and effective manner, the rights of the Allies with the wishes of both Messrs. Washburn and Kirkland, were rejected by those gentlemen, who continue to insist in exacting a permission offensive to the sovereign rights of the said Allies.

One of the least of the inconveniences which would happen through satisfying the request of Lieut. Kirkland and Mr. Washburn would evidently be the nullification of the whole of the blockade established in Paraguay by the Allies, who would be laying themselves open to the reception of similar exactions from any other nation which might, under any pretext, demand a like privilege for its ships.

So true is this, and so worthy of consideration in view of the consequences, on the part of friendly Powers, that Admiral Godon himself, in 1866, when the passage of Mr. Washburn to Paraguay was in treaty, was the first to admit, merely begging in his request for the permitting of the passage up the river to Asuncion of the said Minister Washburn, that it should be done in any way which would harmonize with the dignity of the United States and have been most convenient to Brazil and its allies, further desiring that Mr. Washburn might be helped forward to his destination either by land or by water without placing any obstacle in his way.

This is just what the Marquis de Caxias desired to effect in the present instance, had he not been denied the option.

Gen. Webb alludes in his note to orders received by Rear-Admiral Davis from the Secretary of the Navy, at the request of Hon. Mr. Seward, Secretary of State for the United States, for the purpose of assisting Mr. Washburn to withdraw from Paraguay.

The undersigned begs leave, however, to impress upon Gen. Webb that the text of those orders cannot but be subject to an intelligent analysis.

If a nation cannot, in equity, or justice, issue orders contrary to the rights or sovereignty of another, those to which Gen. Webb refers were without doubt accompanied by some clause which would cause the execution of them to be carried out in a way not to offend those rights or that sovereignty, and having that in view, to enter into some arrangement both expedient and honorable with the nations interested in the matter. Otherwise it would be an outrage, and in the present instance an unwarranted one, since Brazil and its allies proposed and offered to realize a reasonable manner of enabling Mr. Washburn to retire from Paraguay, to which the undersigned has already alluded.

Gen. Webb argues that the decision of the Marquis de Caxias is in direct contradiction to the agreement entered into in August, 1866, between himself and the Imperial Government, and that the said Marquis seriously offended the honor and sovereignty of the United States, being perfectly aware at the time that he was doing so.

This view of the matter on the part of Gen. Webb is unfounded; not only are the benevolent and friendly intentions of Brazil toward the United States evident in this case, but also that the refusal of the Marquis had nothing in it which was, or could be, offensive to the honor or sovereignty of those States, but on the contrary was the vindication of the legitimate right of the Allies so to act.

Putting aside these, no doubt, convincing considerations to Gen. Webb, it remains for the undersigned to demonstrate to the General that the agreement of 1866, which he invokes, cannot properly be applied to this case.

In the first place, the Imperial Government never consented, except under protest, to the passing of the Shamokin through the war lines of the Allied Powers for the purpose of carrying Mr. Washburn beyond them, and that protest really made against his passage by the Brazilian Admiral, when that steamer was on its way to Curupaity, proves that Brazil did not admit the fact as a right.

In the second place, even had Brazil and its allies, for reasons worthy of attention at that time and at that place, judged it expedient to waive some of their rights as belligerents in favor of a friendly Power, now perhaps they may be influenced by different motives, and indeed they have other and weightier ones which prevent them from conceding now what they did then; further, the present request is not of the same nature of the one then advanced, since at that time the terms of that petition were more acceptable.

Finally, the very circumstances of the war are very different now from what they were then; the military movements and operations were not then so active as they are now, being about to terminate.

Gen. Webb mentions the case of 1861, to ask that the conduct of the Marquis de Caxias in the present shall be censured and peremptorily disapproved of, as he requested that of the President of Maranham should be in relation to the Sumter case; but as that affair does not bear an exact relation to this one, the undersigned declines entering into any discussion whatever upon the subject.

To conclude, the Imperial Government does not consider that the proceedings of the Marquis of Caxias in this transaction are at all open to censure, but that, on the contrary, they merit its approbation; firstly, from the fact that his refusal was in perfect conformity to the rights and sovereignty of the Allies; and secondly, from the circumstance that though it was not in his power to concede the permission as requested by Messieurs Kirkland and Washburn, he did offer and place at their command, with the heartiest good will, the proper means for the safe and convenient conveyance of the American Minister from Paraguay.

The undersigned hopes that Gen. Webb, conscious of the justice of the reasons given, and of the serious inconveniences which would have happened to the cause of the Allies from the upward passage along the river to Tibicuary (centre of the enemy's operations) of the Wasp, under present circumstances, and from her remaining there in communication with that enemy without restriction as to time or manner, will, without hesitation, conform his wishes to that decision, and accept either of the ways proposed for the departure from Paraguay of Mr. Washburn, and that in pursuance of such acceptance transmit to Rear-Admiral Davis the necessary directions for the effecting of it. Meanwhile the Imperial Government will have no objection to accept any other alternative which may be suggested as equally effective and honorable by Gen. Webb, provided that it be not the one already discussed, or a similar one, but that its conditions be such as to place no difficulties in the way of its acceptance by its allies at the River Plate, nor interfere with any plans they have or may conceive for the consummation of the desired end.

By these steps the Imperial Government endeavors to prove how great is its desire to, without injury or offence to its rights and sovereignty, or those of its allies, arrive at an early, and to the United States, satisfactory termination of the question.

The undersigned repeats, &c., &c., &c.

JOAO SILVEIRA DE SOUZA.
Senhor Gen. James Watson Webb, Envoy Extraordinary and Minister Plenipotentiary of the United States.

MR. WEBB TO SENHOR DE SOUZA.

Legation of the United States, Rio de Janeiro, July 13, 1868.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honor to acknowledge the receipt, on the 9th inst., of a note, bearing that date, from His Excellency Joao Silveira de Souza, Counselor to His Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, in reply to his note of the 1st July instant.

The note of His Excellency, after reciting the contents of the undersigned's note of the 1st, says:

"The Marquis de Caxias could not recognize Lieut. Kirkland, a subaltern in the United States Navy, in command of the Wasp, as a competent person to make a direct request for permission for that vessel to pass the war lines of their very legal and effective blockade, which he only did toward the end of May, and not four months ago."

In the first place, the marquis did recognize Lieut.-Commander Kirkland as a proper person to make the request he did, as appears from his prompt response to his application.

Secondly—Lieut.-Commander Kirkland was not sent to Curupaity to make a "direct request for permission to pass the Allied lines." His destination was Asuncion; and presuming that Brazil would not again wound the sensibilities of the people of the United States, or outrage their sovereignty and honor, it was not deemed necessary for him to do more than courteously notify the Brazilian Commander-in-Chief of his presence, destination and purpose,—accompanied by the assurance that nothing would be done or permitted, militating against the rights of either of the belligerents or in derogation of the national character of his ship and flag.

Thirdly—His Excellency has misapprehended the remarks of the undersigned in regard to the delay of four months already produced by the action of the Marquis de Caxias. If the Wasp had not been obstructed in her passage to Asuncion on the 25th April last, Mr. Washburn and family would probably have reached Montevideo early in May, whereas it is not possible for him to do so now until September, and it may be still later, if the modus operandi of getting him and family from their "embarrassing and possibly dangerous situation" is to be determined at Washington.

His Excellency the Minister of Foreign Affairs next denies that, in refusing to let the Wasp pass, the Marquis de Caxias offended the sovereignty and honor of the United States, as is alleged by the Secretary of State, Mr. Seward, and he insists that, by so doing, he only maintained an unquestionable right of sovereignty on the part of the Allies. And it is insisted also that in stopping the Wasp the Marquis in no way violated the arrangement made between the undersigned and Brazil in August, 1866, because the Shamokin, with Minister Washburn on board, was only allowed to pass the allied lines under protest.

On the subject of this protest the Honorable Secretary of State wrote to the undersigned as follows:

"The President, however, marks the incident that the opposition to the passage of Mr. Washburn was withdrawn under a protest. So far from considering the question of the right of Mr. Washburn to proceed to his destination as a debatable one, the United States cannot consent to argue that question."

His Excellency the Minister of Foreign Affairs will perceive, therefore, that the undersigned has no authority to discuss the right of the United States to communicate with its Minister in Paraguay. The obstruction offered in 1866 was declared by Mr. Seward "disrespectful in itself, and entirely inconsistent with the law of nations."

And yet His Excellency the Minister of Foreign Affairs, informs the undersigned, that "the Imperial Government does not consider that the proceedings of the Marquis de Caxias, in this transaction, are at all open to censure; but that, on the contrary, they merit its approbation."

It is a well-known fact that Asuncion, the capital of Paraguay, can only be reached by the river of that name; and also, that long before the Empire of Brazil and Uruguay, and the Argentine Confederation, bound themselves, by treaty, to carry on war, not against the people of Paraguay, but against its Government until overthrown, the United States had established diplomatic relations with that Republic. In fact, but for the presence of the United States Minister, Mr. Washburn, in Asuncion, in 1864, and his threat of closing his mission if the Minister of Brazil was not permitted to leave the country by water instead of by land, as the Marquis de Caxias proposed that Mr. Washburn should do, that gentleman would, most probably, have shared the captivity of Gov. Campos. How is it possible, then, for any intelligent Brazilian, to claim that by virtue of Brazil's blockade of Paraguay the United States shall not communicate with her Minister by the only channel he can be reached, is more than the undersigned can conceive. But, as Mr. Seward says, from a sense of self-respect, the United States cannot consent to argue that question. Thus precluded from any discussion on this question of right, the undersigned notes the declaration that in this proceeding by the Marquis de Caxias there is no disrespect intended, and no unfriendly feeling toward the United States.

And this is said to be made manifest by the declaration that he did offer and place at the command of Mr. Washburn and Lieut. Kirkland, with the heartiest good will, the proper means for the safe and most convenient conveyance of the American Minister from Paraguay. That is to say, Brazil, or the commander of her land and naval forces on the Paraguay, is to determine what is "the proper means" of getting our Minister out of Paraguay, and not the United States. And what were these "proper means" thus proposed?

First—The Marquis de Caxias proposed that the Minister, his feeble wife and child, his servants, with their luggage, &c., should traverse some 200 or 300 miles of wilderness, more or less, and then embark on board a Brazilian vessel bearing a flag of truce, and descend the Paraguay to Curupaity. President Lopez, of course, to give sanction to this espionage of his territory by an enemy avowedly engaged in a personal war against himself and for his overthrow, and not against the people of Paraguay.

To this His Excellency, Charles A. Washburn, the Minister of the United States accredited to the Government of Paraguay, which it is the avowed purpose of the Allies to overthrow, replied as follows, after very properly and peremptorily refusing to leave his post of duty, except in the manner indicated by his Government:

"The proposition of the Marquis de Caxias that, if I were so disposed, we may go by land, is similar to that which was made to me by the Paraguayan Government in the case of the Brazilian Minister, Senhor Viana de Lima, after the taking of the Marquis de Olinda and the suspension of his diplomatic relations. When I interfered on his behalf, I was told he could go by land. But I rejected the proposition as absurd, and my conduct in that matter was highly approved by the Brazilian Government and Press, while that of Paraguay was universally condemned by both. Does the Marquis de Caxias expect me to accept terms for myself and family that I would not accept for a Brazilian Minister?"

Secondly—The first proposition of the Marquis de Caxias having been very properly and indignantly rejected, he deliberately substituted the following:

"I will give orders that one of the Brazilian vessels of war above Humaita shall go up the river with a flag of truce to receive His Excellency, his servants and family, at the place most convenient, and that on its return [illegible] to Humaita, [illegible] so that His Excellency may be able to [illegible] immediately from here [illegible] the United States [illegible]."

It would be improper on the part of the undersigned, to speak of this proposition in the terms it deserves, after it has been gravely indorsed by the Brazilian Government; and therefore, he leaves it to the just indignation of that public opinion which must ultimately pass upon this correspondence, and which will treat this unheard-of proposition with the severe condemnation it so richly merits. Your Excellency pronounces it friendly and magnanimous; while the undersigned deems it unfriendly and offensive, and, he might add, on the part of the Marquis, trifling with the dignity of his position.

That the commander of the Wasp so considered it is manifest from his reply, which, written in doubt whether it was a serious proposition or one intended to cast ridicule upon the whole affair, is worthy of all praise. He says:

"Your Excellency [illegible] would be guided by a false sense of courtesy did it permit such an act by a Brazilian vessel of war."

"A conversation [illegible] your Excellency thinks that the family of President Lopez might seek protection under the American flag, and that to prevent such an occurrence you will not allow the United States steamer Wasp to pass through your fleet. The fact of virtually detaining as prisoners the United States Minister and family in Paraguay in order to prevent the suspected escape of the feminine and infantine portion of President Lopez's family is so unreasonable that it savors strongly of extending the dangers and difficulties of war to women and children."

Whether this proposition was ever intended by the Marquis de Caxias to be seriously received, or whether it was designed to treat Lieut.-Commander Kirkland's application with ridicule and contempt, it is equally unfriendly and offensive. Unfriendly, because it denies on the most frivolous and indefensible grounds, an act of courtesy to a friendly and neutral Power, which could not be withheld without offence, even if the law international, conferred the right of such denial on Brazil; which it assuredly does not. And grossly offensive, because it assumes that the commander, officers and crew of the United States steamer Wasp would act dishonorably and give information in regard to the Brazilian fleet to the Paraguayans, while no such suspicion of dishonorable conduct could possibly attach to the officers and crew of a Brazilian vessel-of-war, which it is gravely proposed to send hundreds of miles into the enemy's country.

Now, it is manifest that the number and character of the Brazilian fleet, above and below Humaita, are as well known to President Lopez as to the Marquis de Caxias, the Press and the public. And if we are to believe official reports, it is equally certain, that the state of things on the Paraguay, above the Allied forces, is absolutely unknown to the Marquis de Caxias or any other person. If, then, every person on board the Wasp were of the disreputable character implied, the most they could possibly communicate to the injury of the Allies would be to report the number of vessels they saw—information which President Lopez has already. How utterly idle, then, and how exceedingly offensive the pretence, that the passage of the United States steamer Wasp, under the United States flag, and commanded and officered by gentlemen who recognize all the obligations which a high sense of honor imposes upon them as neutrals—how exceedingly offensive to a friendly nation to allege that such passage would be injurious to the interests of Brazil, "because of the operations and movements of war shortly to be carried into effect, near the place indicated as the destination of the North American steamer." That is to say, "the steamer of a friendly neutral Power, rapidly running through our lines, and communicating with no one but the Commander-in-Chief and his staff, will become possessed, supernaturally, no doubt, of all our purposes; and those on board not being men of honor, will disclose to our enemy, the President, and not the people of Paraguay, the knowledge thus supernaturally acquired."

But while the Marquis de Caxias thus guards against American officers not revealing what everybody knows, and nobody better than President Lopez; and while he cannot listen to the idea of a friendly neutral passing his lines, he perceives the benefit to be derived from availing himself of the occasion presented to send one of the Brazilian vessels-of-war above Humaita with a flag of truce into the very heart of the enemy's country, to bring away the United States Minister, and at the same time explore the terra incognita where he would willingly extend his operations. Nay, he would go even still further, and permit the iron-clad thus employed, now above Humaita, to repass that fortification with the consent of the Government of Paraguay; and thus escape from what is deemed a perilous position until the fall of Humaita, if fall it should. What President Lopez would have said to this proposition, the good sense of the Commander of the Wasp promptly determined; what the Brazilian Government thinks of it, is to be found in its formal approval, conveyed to the undersigned by the dispatch of your Excellency; but what the Governments, statesmen and military men of Europe and America may say of it, remains to be seen.

President Lopez, "the Government of Paraguay," was the only party who could possibly suffer injury from the presence of a friendly neutral in his waters, and amid his defences. And yet President Lopez, recognizing his duty to that friendly neutral, and to the comity that should be practiced between nations, and entertaining none of the doubts in regard to the honor of American naval officers which so disturbed the mind of the Marquis de Caxias and made him desirous of sending a Brazilian vessel-of-war into his enemy's country under a flag of truce, to be guaranteed by the flag of the United States Minister, no doubt, promptly consented that the United States steamer Wasp should ascend the Paraguay to any place she might desire to visit.

The undersigned is of opinion, that the facts of the case will abundantly demonstrate whether the act of the Marquis de Caxias, indorsed by Brazil, was not as unfriendly and offensive, as it clearly was in violation of international law and the sovereignty and honor of the United States.

But, says your Excellency, "if the Wasp had been permitted to pass the blockading lines of the Allies other nations would have been entitled to claim a similar right for all their ships." Most assuredly so, if those other nations had diplomatic representatives at Asuncion whom it was desirable to get away. But Mr. Washburn is the only diplomatic representative resident in Asuncion; and consequently, the position is untenable.

Your Excellency next quotes Rear-Admiral Godon, when commanding the United States South Atlantic Squadron, as fully justifying the action of the Allies in 1866. So correct is this, says your Excellency, "that Admiral Godon himself, in 1866, when the passage of Mr. Washburn to Paraguay was in treaty, was the first to admit it, merely begging in his request the passage of Mr. Washburn, and that he might be helped forward to his destination either by land or by water without placing any obstacle in his way. This is just what the Marquis de Caxias desired to effect in the present instance, had he not been denied the option."

It is no news to the undersigned, that in 1866, Admiral Godon, having quarrelled with the three United States Ministers, in the river Plate—Gen. Asboth, Mr. Washburn and Gov. Kirk—and with the Consuls of the United States at Buenos Ayres and Montevideo, instead of simply obeying orders and furnishing the United States vessel, which Mr. Washburn was authorized to demand, to take him to Asuncion, did all in his power to prevent Mr. Washburn's having such conveyance; and on one occasion actually went north from this port instead of south, apparently to avoid receiving the contemplated application. But it is news to him that the then commanding officer of the United States squadron in this station, should have permitted his feelings of hostility to Mr. Washburn to render him so forgetful of his duty to his country, as to indorse, and justify, and advise the Brazilian Government in its assumption that it might safely, and with great propriety, refuse to permit one of our national vessels to pass the lines with our Minister on board, provided the Minister "was helped forward to his destination, either by land or by water, without placing any obstacles in his way."

But the Brazilian Government and its representatives in the River Plate, well knew that Rear-Admiral Godon was not vested with any diplomatic powers whatever; and that he was proverbially, as ignorant of the law of blockade as of international law. He was the last man in the navy to be intrusted with the discussion of such questions; and his expressing any opinion upon Mr. Washburn's case, or making any admissions in regard to it, was simply meddling with what did not concern him. That he should have done so in the gratification of a vindictive feeling toward a gentleman in every respect his superior, does not surprise the undersigned; but it does surprise him greatly that your Excellency should refer to the unpatriotic acts of that personage, who was the representative of himself and his vindictive feelings only, as justifying a proceeding which every department of our Government, and its four diplomatic representatives in this region, as well as every intelligent foreigner here, united in condemning. The undersigned does not doubt that Rear-Admiral Godon did make the admissions described; and in the gratification of vindictiveness, seek to produce a result so diametrically opposite to what justice and honor, and our national sovereignty, as well as the convenience of our Minister and family, demanded; but as he was not vested with any diplomatic power in the premises, and as it appears that if he had been, he would not have exercised them in the interest of his country, his opinions and admissions cannot, with propriety, be introduced into this correspondence.

The undersigned makes no apology for the length of this note. The existing diplomatic relations between the United States and Brazil, and the present and future intercourse between their people—whose interests, political and commercial, are inseparable—depend, to a very great extent, upon the amicable adjustment of the pending difficulty; a difficulty which should not and could not have arisen, and in the progress of which the sovereignty and international rights of neither party, could have become involved, if Brazil had promptly extended to the United States that comity which is usual among all friendly nations.

Being prohibited from arguing the question of right in this very important matter, the undersigned, frankly and in the interests of good neighborhood, will now proceed to extract from his various instructions on this subject, the well-settled convictions of his Government in relation thereto; all or most of which may be found in part 2 of the published diplomatic correspondence of 1866:

Mr. Seward to Gen. Webb.

Department of State, Washington, April 21, 1866.

We have learned, with [illegible], that Charles A. Washburn, Esq., Minister Resident of the United States to the Republic of Paraguay, has been hindered and detained by the Allied fleet in the Parana [illegible] of nations.

Mr. Seward to Gen. Webb.

Department of State, Washington, June 27, 1866.

I am obliged to write, therefore, in ignorance of the actual condition of affairs in South America. [illegible] the sovereignty and honor of the United States [illegible] Mr. Washburn is therefore, now instructed to return at once to the United States [illegible] the Government [illegible].

In the case that you shall have put into execution [illegible] instructions, which were given [illegible] the Department on the 21st day of April last, and shall not have received the satisfactory explanation which you were instructed to ask from the Government of Brazil, you will demand such explanation peremptorily. If they shall not be given you within [illegible] days you will ask for your passports to return to the United States.

The Secretary of the United States, the Hon. William H. Seward, to Gen. Asboth.

Department of State, Washington, Sept. 24, 1866.

I have now before me a definitive correspondence between this Department and the Brazilian Government, which leads me to hope that long before this reaches you the difficulty will entirely have ceased. But among the papers [illegible] letter written by President Mitre to Mr. Washburn on the 14th of July last, which distinctly asserts and maintains the rights of the Allies to make that detention endure according to the pleasure of the Allies. The President of the United States cannot consent to hold relations of peace and friendship even with friendly nations, when they make their own interests the rule of exposition instead of the law of nations.

The Secretary of State of the United States to Gen. Webb.

Department of State, Washington, Sept. 25, 1866.

The papers treat of the final disposition and settlement of the annoying question which arose by the detention of Mr. Washburn, &c., &c., &c.

The President, however, marks the incident that the opposition to the passage of Mr. Washburn was withdrawn under a protest. So far from regarding the question of the right of Mr. Washburn to proceed to his destination as a debatable one, the United States cannot consent to agree to that question.

In the second place, you are authorized to state that the sensibilities of the American people have been wounded by the transaction.

I am not prepared to say that, in the absence of explanations by the Allies, the settlement of the question which has been made will be held to be satisfactory.

I am, Sir, your obedient servant,
WILLIAM H. SEWARD.

Your Excellency will perceive from the foregoing extracts from instructions from the Secretary of State of the United States, why the undersigned has not entered into any discussion of the rights of his Government in the question pending between it and the Allies, prosecuting a war against the Government and not the people of Paraguay. He has but one course left him to pursue, and that is, to urge upon the Government and Emperor of Brazil a reconsideration of their decision as conveyed to him in your Excellency's note of the 9th inst. And again, in the words of his note of the 1st inst., he earnestly entreats that the Government of Brazil will, without any unnecessary delay, issue instructions that all hindrance to the United States steamer Wasp's passing through the lines of the Allies on the Paraguay be withdrawn, and promptly advise the undersigned that all hindrance has altogether ceased.

The undersigned avails himself of this occasion to renew to his Excellency the assurance of his distinguished consideration.

J. WATSON WEBB.
His Excellency Joao Silveira de Souza, Councilor to his Imperial Majesty the Emperor, Minister and Secretary of State for Foreign Affairs.

[In response to this dispatch, the new Minister of Foreign Affairs, Paranhos, reiterated the approval by Brazil of the conduct of the Marquis de Caxias, and its determination not to permit the Wasp to pass their lines. Gen. Webb, in reply, increased the severity of his remarks, and named a day on which he must have his passports unless his demands were complied with. Conferences ensued; the last dispatches of both parties were withdrawn, and the Wasp was permitted to go up.]

MR. WEBB TO MR. SEWARD.

Legation of the United States, Boa Viagem, opposite Rio, Aug. 7, 1868—4 P.M.

Sir: In my last I stated, that the Minister of Foreign Affairs desired me to ask for a conference, which I had declined doing; at the same time expressing my readiness to wait upon him at the Foreign Office whenever desired to do so. I was in consequence, invited to a conference on the 1st of August.

We accordingly were in conference two and one-half hours on the 1st, three hours on the 4th and nearly three hours to-day, I having just returned from the Foreign Office.

The result was, that I left with the Minister my dispatch herein inclosed and marked No. 4, he having previously explained that in no event should the Wasp be impeded in her course to Asuncion. It is understood that Paranhos' note, "subject only to such trifling delay as may arise from the active execution of any military operation which may transpire at the time," means simply, that if, when the Wasp arrives at the front, the Brazilians are actually firing at the enemy, they shall not be required to cease firing; but in such an event, the Wasp shall wait until the firing ceased! To this I assented, stipulating, however, that if the Wasp thought proper to pass between, and under the fire of the belligerents, she should have a right to do so; and in like manner the belligerents would be at liberty to sink her if they can, and she is sufficiently foolhardy to invite destruction.

I have the honor to be, very respectfully, your obedient servant,
J. WATSON WEBB.
Hon. William H. Seward, Secretary of State, Washington, D. C.

In a letter dated Rio de Janeiro, Aug. 5, 1868, Señor Paranhos replies to Mr. Webb's note of July 13, relative to the passage of the Wasp through the blockade established by the Allies in the waters of the Paraguay River. He states that the question was merely as to the way or manner, and not as to the right, of the Minister to pass through the lines. Señor Paranhos concludes his letter as follows:

In pursuance to an agreement with Mr. Tornara, and in the hope that that agreement will be approved of and duly appreciated by the Allied Governments at the River Plate, the undersigned proceeds to propose to Gen. Webb a solution of the question, which cannot fail to be considered as satisfactory, as well by the Government of the United States as by its representative accredited near His Majesty the Emperor.

Mr. Washburn thought it impossible that President Lopez would consent to the passing of a Brazilian steamer under a flag of truce, for the inoffensive purpose of aiding him to retire, as mentioned before. Well, then, the Government of His Majesty, in its own name and those of its Allies, will most willingly accede to the descent from Asuncion of the United States Minister, on board of a Paraguayan vessel, under a flag of truce, to Curupaity, or to the most advanced post of the Allies, the Wasp to go up to that point whenever it may be, and there to receive on board the diplomatic agent of his country.

Apparently the material difficulty pointed out by Mr. Washburn will be thus removed; there will be complete reciprocity of the just and friendly propositions which are advanced on both sides; in a word, the rights and supreme necessities of the belligerents will be in harmony with the passing and returning of the representative of the United States.

But the Imperial Government and its Allies will carry their deference to the United States beyond that. If its representatives near this Court and at the Republic of Paraguay hold that they should not accept either of these methods, or that the return of Mr. Washburn can be only effected safely and conveniently by the Wasp's going to receive him at his place of embarkation, then the Allies will agree that a United States vessel of war shall proceed to that point for that purpose, that vessel being subject only to such trifling delay as may arise from the active execution of any military operation which may transpire at the time; the Allies being well assured that the assertions of Gen. Webb (which they never have doubted) with regard to the observance of the duties of a strict neutrality on the part of the vessel and of the representative of the Union shall most rigorously be carried out. * * *

The undersigned avails himself of the opportunity to renew to Gen. Webb the assurances of his high consideration.

JOSE MARIA DA SILVA PARANHOS.

MR. WEBB TO SENATOR PARANHOS.

Legation of the United States, Boa Viagem, Aug. 5, 1868.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honor to acknowledge the receipt of a note from His Excellency Jose Maria da Silva Paranhos, Counselor to His Imperial Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, dated yesterday, August the 4th, and which is in reply to a note from the undersigned addressed to the predecessor of His Excellency, dated July the 13th, remonstrating against the decision of the late Government, approving of the conduct of the Marquis de Caxias in refusing to permit the United States steamer Wasp to pass his military lines on her way to Asuncion, the capital of Paraguay, for the purpose of bringing from that capital His Excellency Charles A. Washburn, the duly accredited Minister of the United States to Paraguay, and thus relieve him and his family from what the Government of the United States declared to be "disagreeable and probably dangerous situation."

The undersigned is greatly impressed with the friendly tone of this note from His Excellency the Minister of Foreign Affairs, and tenders to him his sincere acknowledgments for the cordial and frank manner in which he has complied with the wishes of the Government of the United States.

His Excellency, in reconsidering the too hasty action of his predecessor, and in recognizing the propriety and necessity of a movement by the Government of the United States for the relief of its diplomatic agent in Paraguay, and the mode adopted for that relief, has given another and most acceptable proof, on the part of the Government and Emperor of Brazil, of their determination to reciprocate the friendly feelings which have always controlled the action of the United States in its intercourse with all the Governments on the Continent of America. An "American policy," based upon the advanced civilization of the world, the progress of the age, the interests and wants of new peoples—in contradistinction to a policy which is, of necessity, the offspring of the past, and fettered by the thought and action of the period in which it originated—is recognized by all American statesmen, whether of the North or of the South. And to secure to the Governments of America the benefits of such an "American policy," it is of primary importance that Brazil and the United States, and all the Governments on this Continent—all of them being constitutional Governments—should cultivate among each other the most friendly intercourse and the closest political alliance compatible with their constitutional forms of government. To accomplish this great work and to draw closer together the United States and Brazil has been the one great object of the undersigned during his long residence at this Court; and he is happy to recognize in the dispatch of his Excellency the evidence of a similar feeling and purpose.

Orders have been forwarded by Rear-Admiral Davis, commanding the United States South Atlantic Squadron on this station, to Lieut.-Commander Kirkland, commanding the United States steamer Wasp, to proceed at once to Asuncion for Mr. Washburn and his family; and it would be idle for the undersigned to assure your Excellency that under no circumstances and in no conceivable event will the progress of that vessel to or from Asuncion, impede, or in any way be injurious, to the interests of the Allies waging war against the Government of Paraguay.

The undersigned is happy to avail himself of the occasion presented, to renew to your Excellency, the expression of his cordial respect and great consideration.

J. WATSON WEBB.
Jose Maria da Silva Paranhos, Councillor to His Imperial Majesty the Emperor, Minister and Secretary of State for Foreign Affairs.

MR. SEWARD TO MR. WEBB.

Department of State, Washington, Aug. 17, 1868.

Sir: Your dispatch of the —— day of July, No. 52, has been received.

I learn from it that Rear-Admiral Davis, who commands the United States South Atlantic Squadron, has sent the United States ship-of-war Wasp up the Parana, with a view to bring the United States Minister, Charles A. Washburn, and his family, from Asuncion, the capital of Paraguay, and thereby remove them from their embarrassing and possibly dangerous situation; and that the Marquis de Caxias, the commander of the allied forces, refused to permit the Wasp to pass through his blockade up to Asuncion, in consequence of which refusal the Wasp returned to Montevideo, after a delay of forty-seven days, without having accomplished the object of her voyage. Your dispatch is accompanied by a copy of a note which, on the first of July last, you addressed to His Excellency Joao Silveira de Souza, the Secretary of State for Foreign Affairs of his Majesty the Emperor of Brazil, in which note you made complaint of this proceeding of the Marquis de Caxias, and requested that the same might be disapproved, and that the Wasp might, without delay, be allowed to proceed to Asuncion for the purpose of removing Mr. Washburn and his family. I find in an appendix to these papers a correspondence concerning the events which were the basis of your note to the Brazilian Secretary, in which correspondence are contained letters from Rear-Admiral Davis, Commander Kirkland, of the Wasp, Charles A. Washburn, Esq., United States Minister in Paraguay, and Marquis de Caxias. I have also received from Mr. Moran, late United States Chargé de Affaires in London, a cable telegram, from which it would appear that you have intimated a purpose to ask for a passport in case the Brazilian Government should refuse to allow the request contained in your note before mentioned. I further find a reference to this latter point in your dispatch of the 8th of July, No. 50, which has been previously acknowledged. From this last paper I learn that at the time it was written no answer to your note had been received from the Brazilian Secretary of State for Foreign Affairs, and that, in the event of an unfavorable reply, you contemplated making a request for a passport and an immediate withdrawal from Brazil.

The grave and critical issue which it thus appears was pending at the date of your dispatch has probably before this time reached a solution, although many days may elapse before that conclusion shall become officially known to this Government. It would be impossible, under these circumstances, to give you definitive instructions upon the course to be pursued in the possible event of a sanction of the proceeding of the Marquis de Caxias by the Brazilian Government; nor am I now authorized, *nor is it deemed necessary, with such insufficient information as the Note, to pronounce the views of the Government concerning your contemplated demand for a passport and the consequent close of your mission at Rio.*

It is thought, however, to be neither improper nor premature to consider the several matters in regard to the Wasp which are expressly brought in review by your dispatch.

The proceedings of Rear-Admiral Davis in directing the Wasp to go up the Parana to Asuncion for the purpose mentioned is approved.

This Government holds that it has a lawful right to send a ship of war up the Parana to Asuncion, for the purpose of receiving the United States Minister and his family, and conveying them from the scene of siege and war to neutral territory or waters; that the refusal of Marquis de Caxias to permit the Wasp to pass up to Asuncion violates becoming comity on the part of Brazil and the Allies toward the United States, and is in contravention of the law of nations; that Mr. Washburn and Commander Kirkland justifiably and properly declined the alternatives offered by the Marquis de Caxias. The requests upon the Brazilian Government, expressed in your note to the Secretary of Foreign Affairs, are approved and adopted.

Should this dispatch find you in the performance of your official duties, you will read it to the Brazilian Secretary of Foreign Affairs, and deliver him a copy if he shall desire it.

I am, Sir, your obedient servant,
WILLIAM H. SEWARD.
James Watson Webb, Esq., &c.

MR. SEWARD TO MR. WEBB.

Department of State, Sept. 12, 1868.

Sir: I have to acknowledge the receipt of your dispatch of the 7th of August, which is without number, and which is accompanied by a copy of the final correspondence which has taken place between yourself and Mr. Paranhos, the Brazilian Secretary for Foreign Affairs, relating to the opposition which was offered by the Marquis de Caxias to the voyage of the Wasp up the Parana River, with the purpose of relieving Mr. Washburn and his family at Asuncion.

Your proceedings in the settlement of that vexatious case, as they are represented in your dispatch and the accompanying correspondence, *are approved and commended.*

You will assure the Marquis de Paranhos that this Government highly appreciates the just and friendly manner in which the transaction has been brought to a satisfactory end on the part of the Government of Brazil.

I am, Sir, your obedient servant,
WILLIAM H. SEWARD.
James Watson Webb, Esq., &c., &c., &c.

THE GAMBLE CASE.

The Remains of Mrs. Gamble Found in this City—Action of Coroner Schirmer—The Body to be Reinterred.

It will be remembered that in the early part of the month of November, one Michael Murphy, of Hudson City, N. J., applied to Coroner Flavin, of Kings County, for a warrant against Matilda Hijus and Robert J. Gamble, of Clarkstown, N. Y., husband of Margaret J. Gamble, who died at Clarkstown, N. Y., on the 2d of last August under suspicious circumstances. The charge made against these persons was that they had poisoned Mrs. Gamble, and on the inquest Prof. R. Ogden Doremus testified that he had discovered traces of poison in the body of the deceased fourteen days after death. As the Coroner could find no proper evidence against either of the accused they were discharged. An injunction was subsequently granted by one of the Supreme Court Judges to restrain Coroner Flavin from further proceeding in the case, and an injunction had previously been issued upon Coroner Quackenbush, of Rockland County. Since the cessation of official inquiry on the part of the Kings County Coroner the body of the deceased has been in this City without burial, and on the request of the Board of Health Coroner Schirmer assumed jurisdiction in the case, and yesterday granted a permit for the removal of the remains.

In order to do this in proper form, Coroner Schirmer yesterday summoned a jury at the Bellevue Hospital Dead-house, and proceeded to make such investigation in the case as was deemed by him necessary. The Coroner first administered an oath to the jury, requiring them to make an investigation over the remains of a woman, contained in a coffin then lying at the Dead-house, supposed to be those of one Margaret J. Gamble. As the jury appeared a little confused at this language, the Coroner briefly addressed them and made some explanations, as follows:

Gentlemen: I now intend before we proceed with this case to state to you how the case came into my hands. On the last day of the old year I received the following letter from the Sanitary Superintendent of the Metropolitan Board of Health:

Office of the Sanitary Superintendent, Metropolitan Board of Health, No. 301 Mott-st., New-York, Dec. 31, 1868.
Wm. Schirmer, M. D., Coroner City and County of New-York:

Sir: I beg respectfully to transmit the inclosed preamble and resolution of the Metropolitan Board of Health, and to request that you will reply, as soon as possible, informing me of whatever action you may take in the case. Very respectfully, your obedient servant,
E. B. DALTON,
Sanitary Superintendent Metropolitan Sanitary Department.

The following are the preamble and resolution alluded to in the above letter:

Office of Metropolitan Board of Health, No. 301 Mott-street, New-York, Dec. 31, 1868.
Dr. E. B. Dalton, Sanitary Superintendent, &c.:

Sir: At a meeting of the Metropolitan Board of Health, held at its office, on the 29th of December, 1868, the following preamble and resolution were adopted:

Whereas, The body of a deceased person, supposed to be that of Mrs. Gamble, has been brought in a vehicle, in the streets of this City, and has been placed in the Morgue, and the circumstances relating to the same are such, in the opinion of this Board as demand an inquest, and it not appearing that any inquest has been held;

Resolved, That the Superintendent of this Board transmit a copy of this resolution to some Coroner of this City, and request such Coroner to at once hold inquest on said body, and that the Superintendent report to this Board the reply and action of such Coroner.

(Signed) EMMONS CLARK, Secretary.
E. B. Dalton, Sanitary Superintendent M. B. H.

I made an immediate reply to Superintendent Dalton, in which I announced to him that I had examined the condition of the remains, and that I considered it both proper and necessary that some action should be taken in the premises, as the condition of the remains, through decomposition, was prejudicial to the public health. Although the case was properly outside of the jurisdiction of the Board of Coroners for and in the City and County of New-York, I said I would be ready to proceed in the matter as soon as the necessary evidence was furnished. The Board of Health agreed to cooperate with me in the procuring of such evidence. We found the greatest difficulty in obtaining access to the witnesses we shall to-day examine before you, as they were hindered from communicating with me by persons whose names I will not here repeat, as their conduct does not form a matter for your inquiry or consideration. After a long and continued effort I have ultimately succeeded in procuring the attendance of the witnesses, who will appear before you in a few minutes. These persons will be examined simply to ascertain whether they can identify the remains as those of Margaret J. Gamble. Their identification or non-identification of the body will determine the course of our conduct. The witnesses to be examined are the two brothers and the sister of Margaret J. Gamble, and we now proceed to view the remains of the deceased woman now in my custody, which I will here remark have been preserved intact in the condition in which I found them on assuming charge of the case on the 31st of December.

The Coroner, his jury and the three witnesses then proceeded to the charnel-house and viewed the remains. They were contained in a coffin, the lid of which had been sawed open, and the coffin had been boxed up for the purpose of removal. The remains were in a very offensive condition, owing to the decomposition which had naturally occurred. As soon as the relatives had made such examination of the coffin and its contents as was possible, the Coroner proceeded to the inquest chamber and elicited the following evidence:

Mary Murphy, (Sister Corunna,) a Sister of Charity in the Orphan Asylum, testified, I recognise the remains shown me as those of my sister, Mrs. Margaret J. Gamble, from the fact that I recognise the plate of the coffin shown me as correctly inscribed; second, by the wreath and pictures contained in the coffin, the pictures bearing words in my own handwriting; third, by a prayer-book which I identify as once belonging to my deceased sister; fourth, I also recognise the remains from the peculiar shape of the feet and toes; fifth, by a slight induration on left thumb, the result of a felon; it is impossible to recognise the features in consequence of decomposition.

Thomas Murphy, being sworn, was cautioned by the Coroner that he must confine his testimony to answering just such questions as might be put to him. Coroner Schirmer remarked that if the witness did not do so he would allude to persons and facts that the Coroner could take no official notice of. The witness then testified as follows: I reside at Hudson City, N. J.; I am a seaman; I have viewed the box and coffin containing the body of deceased; I recognise the box and coffin as those I carried from Greenwood Cemetery to Piermont, Rockland County, N. Y., and from thence to the office of the Metropolitan Board of Health, at No. 301 Mott-street, and from thence to the Morgue; in consequence of the advanced stage of decomposition, I find it impossible to identify the remains in any other way; I am satisfied that the body is that of my sister.

Michael Murphy also testified: I reside at Hudson City, N. J., and am a blacksmith; I recognise the body here shown me by the plate of the coffin, the appearance of the thumb on the left hand, and the shape of the feet; I also recognise the prayer book and picture in the coffin, and by the garments; I am quite sure that the deceased was my sister, as I recognise the teeth; it is the same coffin in which deceased was found when disinterred in Greenwood Cemetery.

John O'Brien, Keeper of the Bellevue Hospital Dead-house testified—On the 26th of November (Thanksgiving Day) a box and coffin containing the dead body of a woman was brought to me by an officer of the Board of Health, who delivered an order to Warden Brennan, directing him to keep the body until some investigation could be had; on the 31st of December Coroner Schirmer visited the dead-house, and by his direction I opened the box; after his brief examination I nailed up the box again, and kept it in that condition until this morning, when the Coroner ordered me to reopen it.

The Coroner then briefly charged the jury on the case. He said that it was his duty to inform them that as the body shown to the witnesses and the jury had been fully identified as that of the deceased Mrs. Gamble, all further action in the case must cease, for two reasons—first, because the case in reality belonged to the jurisdiction of Coroner Quackenbush, in Rockland County, N. Y.; second, because there has been an injunction issued by a Judge of the Supreme Court stopping all further inquiry by a Coroner, and as the injunction has been sustained on a recent hearing of the case, the Coroner of this City cannot take official notice of the probable facts in the case relating to the circumstances attending the death of deceased. It is my duty to see that dead bodies are removed from the City limits when the remains are in such a condition as to imperil the lives of the community. I shall give a certificate of death in this case as resulting from unknown causes. It is none of my business, under the present state of the case, what the anterior history of the case may be. None of the New-York Coroners have jurisdiction, as it properly belongs to Piermont. If ever the injunction be removed, then Coroner Quackenbush can act in the premises and hold an inquest. Should he fail to do so, then I can assume jurisdiction. The circumstances of the case, as thus presented by me, will compel you to render a verdict that deceased came to her death from unknown causes. The jury acquiesced, and that verdict was duly recorded. Mrs. Gamble was 30 years of age, and a native of Ireland. Her remains are now in the custody of her relatives.

TERRIBLE TRAGEDY.

Probably Fatal Result of a Lovers' Quarrel—A German Attempts to Kill His Betrothed and Then Shoots Himself.

A shocking tragedy was enacted at an early hour yesterday morning in Seventh-avenue. A young German tailor attempted to murder his betrothed and then made a desperate and probably successful attempt to destroy his own life. The facts in the case, as gleaned from various sources, appear to be as follows:

Sarah Lisetta Bord is 19 years of age, and possesses considerable beauty. She was born in Germany. Her mother was induced to emigrate to America some fifteen years ago by George Frederick Bord, a German barber now doing business on the corner of Fiftieth-street and Eighth-avenue. Bord married Sarah's mother, she being his second wife, and he sent for the child, who was then four years of age, and on her arrival in New-York adopted her, and she remained under his roof until quite recently. The mother died a few years ago, and her daughter acted as housekeeper for her adopted father until August last, when she left home and went to reside with her cousin, a tailor named Borber, who does business at No. 116 Seventh-avenue, where he also keeps a boarding-house for young girls out of employment.

Before leaving Mr. Bord's house a brief quarrel occurred between them in consequence of the attentions paid her by one Peter Bamberger, aged 25, and also a German tailor, and the step-father then expressed a bitter opposition to the proposed marriage between the girl and Bamberger. She persisted in receiving Bamberger as an accepted suitor, and this was no doubt the main cause for her leaving Mr. Bord's roof. In the month of September he again married for the third time, and about the same time Sarah became engaged to Bamberger, who was at work for the cousin Borber, already mentioned.

Mr. Bord did not see his adopted daughter for some time, and had not exchanged words with her since the 17th of October, and about three weeks ago accidentally met her at a christening in the dwelling of a relative, when he avoided entering into conversation with her.

On Wednesday night Bamberger and his betrothed attended a ball at the National Assembly Rooms, in West Forty-fourth-street, in company with Mr. Borber and his family. They enjoyed themselves heartily, and remained in the ball-room until after 5 o'clock A. M. yesterday, when the entire party returned home to No. 116 Seventh-avenue. Borber and his family at once proceeded up stairs to bed, leaving Sarah and Bamberger in the hall-way conversing. A few minutes after, the inmates of the house were startled by the reports of four pistol shots, and on their rushing down stairs with lights they discovered Miss Bord lying in a state of insensibility at the foot of the stairs, with a severe wound in the face. Bamberger was also insensible from the effects of three wounds, and was bleeding freely as he lay near the hall door. The Sixteenth Precinct Police were immediately notified of the tragedy and removed both the girl and her lover to the Mount Sinai Hospital, in Twenty-sixth-street, at the suggestion of Dr. Van Buren, who had also been summoned. Miss Bord recovered her senses soon after reaching the Hospital, and stated that she did not know who had shot her, and expressed a belief that there had been some one else in the hallway besides herself and Bamberger. She also stated that her step father, Mr. Bord, had once threatened to shoot her and himself both if she persisted in marrying Bamberger. Bord was arrested by the Twenty-second Precinct Police and sent down to the Hospital to await the action of Coroner Rollins, who had been summoned. A five-barreled pistol was found near the spot where Bamberger had been lying, four of the chambers being discharged. Dr. Seligman Teller, House Surgeon at the Hospital, made an examination of the patients, and found that Miss Bord had been severely but not dangerously wounded in the left cheek. Bamberger had received one bullet in the forehead near the right eye, which had emerged over the nose. The other bullet had entered the skull over the right temple and passed into the brain, and the third wound was on the left thumb, which was shattered. In the opinion of Dr. Teller, Bamberger will not survive his injuries.

Coroner Rollins arrived at the Hospital during the afternoon, and after impaneling a jury, obtained an ante-mortem statement from Miss Bord, who seemed to give it with great reluctance. The following is her statement:

I live at No. 116 Seventh-avenue, with my cousin, named Borber; I am engaged to be married to Peter Bamberger. Last night he and I went to a ball at the National Assembly Rooms in West Forty-fourth-street. After the ball was over we returned home in company with my cousin's folks. After reaching home Bamberger and I were talking in the hall. The gas was not lit; the hall was dark. We were talking pleasantly together. I was going to go up stairs, and asked him if he was going to stay. He said he was going to his boarding-house. We had not been talking in the hall more than three minutes when I was shot. There was not the least misunderstanding between Bamberger and myself; we were to be married soon. I used to live with my stepfather, George Frederick Bord, but he did not treat me as he ought. I preferred to live with my cousin. My stepfather has been trying to get me to live at home again, and was very much opposed to my marrying Bamberger. He told me once if I married without his approval he would shoot me and himself also. He did not have any ill-feeling against Bamberger. I never seen a pistol with Bamberger, nor has he ever threatened violence upon me or himself in case I did not marry him. My stepfather was not in the hall, nor did I see him last night. There was no one in the hallway at the time but ourselves so far as I know. Bamberger was sober. After I was shot I was insensible for some little time.

The Coroner was also given a memorandum book which had been found on Bamberger's person. He discovered therein a letter written by Bamberger in the German language, of which the following is a translation:

Dear Brother: I am sorry to give my poor parents this sorrow and shame, but forgive me if you can. I could not do otherwise. Without her I could not live and to live with her would not do either. Mr. Bord has got his revenge on both of us if he wrote this letter. You know that I loved her very much but I could not esteem her. I have done everything to get rid of her, and if I have appeared cold-hearted toward her at times, it has hurt me internally. Now I have no rest and I cannot do otherwise. Oh! if I had never seen her. Dear brother do my last wish. I promised my mother that, if I could not follow her to the grave, I would buy the coffin for her and ask you to send her [illegible] you let her know the truth. I do not think she can live after that message. Oh! my unfortunate friend, Borber, forgive me, and if it is possible do me the last favor and look to it that I am buried like a man. And you, friend Hor[illegible] and your worthy wife, who always thought so much of me, forgive me, and look out for my poor brother and persuade him to seek all the pleasure he can. Dear brother, oh! I had so much pleasure in living, and I must go down so soon. The grave is the only resting place for me. Dear brother, what I leave belongs to you. You, Borber, be so kind and give what you owe me to my brother ADAM. [illegible] BAMBERGER.

On this evidence the jury rendered a verdict that the pistol shots had evidently been fired by Bamberger, and Mr. Bord was immediately released. Mr. Bord seemed much grieved at the tragic occurrence, and was the object of sympathy while the examination was going on. He expressed the most tender love for his adopted daughter. He was formerly an officer in the Sixteenth Precinct Police, and in 1862 resigned his position in order to accept a Lieutenancy in the One Hundred and Sixty-second New-York Volunteers. He subsequently left the service, and was reappointed on the Police, and attached to the Twenty-second Precinct. He again resigned, and became a Captain in the One Hundred and Seventy-eighth Regiment New-York Volunteers, and continued in service until the close of the war.

The Newsboys' Lodging-House—Review of Its Work for Sixteen Years.

The Newsboys' Lodging-house is an institution so well known to New-Yorkers that it needs no description. About sixteen years ago a room was first opened in which a few boys were gathered in, but it met with many difficulties, and was received with great disfavor even by those whom it was intended to benefit. The Children's Aid Society, under whose auspices the room had been opened, were compelled to change frequently, as no one cared to have a crowd of street boys running in and out to the annoyance of other tenants. Finally, the Society secured part of the upper floor of the old Sun Building, on the corner of Fulton and Nassau streets. Here, in 1855, an average of only twenty-two boys were gathered in, boarded and lodged at an expense of $3,000. The institution grew in favor both with the Christian public and with the boys themselves, and during its ten years' location at this place it enlarged its borders several times, until it embraced two entire floors, and even then was greatly cramped for room. The number of boys maintained by the institution during its sixteen years' existence has been 68,481, not including those who may have made repeated stops at the Home; 436,846 lodgings and 323,361 meals were furnished; 4,529 lost and truant boys have been restored, and 4,400 have been provided with homes during this period, all at an aggregate expense of $[illegible], or an average of $1 [illegible]. Deducting the $31,[illegible] which the boys have contributed to this sum the real average expenditure per child for sixteen years is but [illegible] cents.

Last year, owing to a transfer of the old Sun property, the boys were compelled to seek a new lodging-house, which they found at No. 49 Park-place, the whole of which, except the store, they occupy for sleeping, cooking, amusement, instruction, offices, &c. There are accommodations in it

...280 boys, and an average of 170 have made it their nightly home during the past year. 6,044 different boys have been lodged and fed there during the year, an increase of four per cent. over any previous year. The current expenses of the institution for the year 1868 amounted to $12,197 51, but including the expense of moving and fitting up the new House, it amounted to $16,624 74. The expenditures are far below the average increase of its usefulness, taking into consideration the high prices of living.

The night-school has an average attendance of 80 boys who manifest great interest in their studies. Of the 6,044 boys entertained in the Home last year, 4,612 could read and write, 3,571 could read only, and 1,761 could neither read nor write. 3,595 were orphans, 4,003 were half orphans, and 1,527 had both parents living. 895 lost boys were restored to their friends during the year and 783 were placed in Western homes. 64,008 meals and 48,813 lodgings were furnished them.

The ages of the boys range between four and eighteen. There were but five at the youngest and seventy-three at the oldest limit in the Lodging-house last year; 3,058 of them were thirteen years old, and 1,341 fourteen years. The nativities of the lads were: United States, 4,410; Ireland, 1,280, and the remaining 1,045 embraced all other nationalities. The boys contributed $2,044 toward the expenses of the Home last year, being an increase of fourteen per cent. over the previous year. Meals and lodgings are furnished at six cents each, and about seventy per cent. of the lads pay for them.

There is a savings bank connected with the institution, in which sixty-six boys monthly make deposits. Last year 798 boys saved $2,057 76, or an average of $1 59 each in this bank. There is a loan fund also connected with it, from which honest and industrious boys can borrow small sums to start them in business. One hundred and fifty-eight dollars were loaned from this fund last year, on which $210 were realized exclusive of the investment.

ASSISTANT ALDERMEN.

Twenty Thousand Dollars Appropriated for the Celebration of Washington's Birthday—The War Expenses of the City.

The Board met at 2 P. M. yesterday—the President in the chair.

A resolution that all public offices of the Corporation be hereafter closed at 4 P. M., was adopted.

A resolution to donate $10,000 to the Superiors of the Order of St. Dominique, was referred.

Resolutions empowering the Clerk of the Board to appoint an engrossing clerk and second and third assistant clerks, each to receive a salary of $2,500 per annum, were laid over.

Resolutions from the other Board appointing a weekly and two of the penny evening papers Corporation papers, were concurred in.

The following was read:

Resolved, That the Comptroller be and he is hereby authorized and directed to refund to John H. McCabe, contractor for building sewers in Eighty-fifth, Eighty-sixth and Eighty-seventh streets, between the Fourth and Fifth avenues, in the City of New-York, or his assigns, the sum of $404, the said sum having been deducted from the amount of his contracts for the construction of the above-mentioned sewers, for 101 days overtime in finishing said sewers; also for the sum of $244 for 61 days over-time, deducted from contracts for the construction of sewers at the foot of Forty-sixth-street and Hudson River and Forty-first-street and Hudson River.

Mr. Gibney said he did not understand the resolution.

Mr. Roberts said that he was opposed to this and all similar resolutions. Mr. McCabe had entered into a contract with his eyes open, and he should be compelled to fulfill it.

Mr. Pinckney said that if the resolution was adopted the Board would virtually be violating the charter by giving the contract not to the lowest but to the highest bidder.

The resolution was lost.

The resolution from the other Board appropriating $20,000 for the celebration of the anniversary of Washington's birthday was called up.

Mr. Pinckney wanted to know how the cash was to be expended. Twenty thousand dollars was a large sum—too much to spend on an annual celebration. He moved that the amount be reduced to $5,000.

This motion was lost.

Mr. Roberts said that last year the fireworks on Washington's birthday were not witnessed by over one thousand persons. It would be far better to give the money to the poor, and he moved that the $20,000 be handed over to the Commissioners of Charities and Correction. If Washington were alive he would approve of this manner of disposing of the money.

The motion was of course lost, and the resolution was adopted.

The following general order was called up:

Resolved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of William A. Herring, City Auditor, for $[illegible], for services rendered in disbursing the sum of $[illegible], at various times during the years [illegible].

Mr. Pinckney said they had no information as to what this money was disbursed for. Mr. Herring was appointed City Auditor in 1863, with a salary of $4,000; then it was raised to $5,000, and now he gets $6,000. He thought this ample remuneration for all the work performed. At any rate, he knew plenty of competent persons who will take the position for the same money.

The resolution was concurred in.

The following was read:

Resolved, That a Special Committee of five members of each branch of the Common Council be appointed to proceed to the Capital, and to urge upon the proper officials of the United States Government the propriety and necessity of settling the claim of the City of New-York, [illegible] City of New-York, the expenses attending the journey to and from Washington [illegible] to be paid by the Comptroller [illegible] signed by a majority of the Special Committee.

Mr. Pinckney said he did not think the Committee would get the cash. At any rate, he felt disposed to limit them in their expenditures. Their fares to and from Washington would cost $200; hotel expenses for one week, $250; carriages, $150; incidentals, &c.—or, say $1,000 in all. He moved that that amount be inserted in the resolution.

The motion was, as usual, lost and the resolution was concurred in.

Resolutions to pave Allen-street and Greenwich-street with Belgian pavement were adopted.

A communication was read from Typographical Union No. 6, stating that Wynkoop & Hallenbeck refuse to pay the Union scale of prices, and asking that the Corporation printing be therefore given to some firm that will pay Union prices. It was referred to the Committee on Printing.

A petition of William C. Rhinelander and others, that Park-place be extended by widening Robinson-street, from College-place to West-street, was read, and in connection therewith the following resolution of the Board of Aldermen:

Resolved, That Park-place be extended westerly in a straight line to West-street, by widening Robinson-street on the northerly and southerly sides thereof, from College-place to West-street, so as to make the said Robinson-street of a uniform width of 60 feet throughout, from College-place to West-street, and that the Counsel to the Corporation is hereby directed to take the necessary legal proceedings to carry this resolution into effect.

The resolution was adopted and the Board adjourned to Monday next.

Fruit-Growers' Club.

This Club convened yesterday at the usual place, with Dr. J. B. Snodgrass in the chair, who commenced the exercises by referring to the operations of the Agricultural Bureau at Washington, which have hitherto been somewhat inefficient. His proposition was to have the Club take some action with reference to inducing Congress to pass a law which will place the Agricultural and Horticultural Department on an even basis with other Departments of the Government. This subject was referred to the Committee.

The subject of repelling borers from ornamental trees was then discussed at some length. W. S. Carpenter stated that strong paper may be wrapped around the body of a tree, and tied. Mr. Fuller suggested that the paper be tarred. Thos. Cavanagh stated that in Brooklyn, coal tar has been employed extensively to protect trees from borers and goats, by smearing the bodies of trees with the tar.

Mr. Carpenter objected to this application as liable to be dangerous to the health of the trees.

Mr. Fuller then offered a resolution to the effect that the Chairman and six members of the Club be designated as a committee to communicate with the President of the United States and Congress, with reference to the subject already alluded to.

Dr. F. M. Hexamer was then introduced, when he proceeded to read an interesting paper on the cultivation of the potato. He stated that a potato is neither a fruit nor a vegetable; but an under-ground stem. A given mode of cultivating potatoes in one locality, cannot be recommended as suitable for another part of the country. A clover sod plowed in the Autumn and cross plowed in the Spring, is one of the most satisfactory preparations of potato-ground that can be recommended. Small potatoes, he said, are not fit for seed. The best six varieties he thinks are the Early Rose, Early Goodrich, and for medium or main crop, the Harison, as it is comparatively free from rot. The next best is the Lenstone Kidney. For a late potato the Peach Blow. This is one of the choicest varieties of potatoes that are now cultivated. I would also, he said, plant the Gleason, which is one of the best late potatoes. He also named the Early Cottage, Calico, Garnet, Chili, Dykeman, the seed of which, he said, is more sought for now than almost any other potato. He would not advise farmers to spend their money for seed potatoes of fabulous prices. He showed one potato that Mr. [illegible] holds at $[illegible]. After varieties have been proved satisfactorily, he said, then let farmers purchase, if they like. The table was spread with about fifty varieties of potatoes bearing comparatively new names.

Mr. Carpenter gave his manner of cultivating potatoes. He makes his teams do a large proportion of the labor. He deposits the seed about five inches deep. If the cultivation be well done, the use of a hand-hoe is scarcely necessary. The common plow, he thought, is the most efficient implement for digging the crop. A very important consideration in the cultivation of potatoes is a change of seed. He would change his seed every season. He could not recommend the peachblow, as it is not worth growing on account of its great liability to rot.

Mr. Cavanagh, of Long Island, stated that most farmers on Long Island send North for their seed every season.

Mr. O. F. Browning stated that he had known of the instances where potatoes were planted for several years in succession on the same field to be the means of preventing the rot.

Dr. Holbrook related his experience in the culture of potatoes, which was satisfactorily successful, by digging a deep trench, filling in a few inches of tanbark, covering it with two inches in depth of soil, scattering a liberal quantity of salt on the surface, and planting the seed on this well-prepared bed, about four inches lower than the surface of the ground.

Much more was said about degeneration of varieties which was about as reliable as random guessing.

The American Pomological Society.

This Society, as noticed more fully in the Daily Times of Thursday, continued in session all day yesterday, at the Astor House, with Hon. Marshall P. Wilder presiding, and F. R. Elliott Secretary. The task of reviewing and revising the catalogue of all kinds of fruit is still in progress. An invitation was tendered by the Fruit Growers' Club to the American Pomological Society to attend the session of the Club yesterday, but the Society declined, on account of the urgency of the task in which they were then engaged.

Alleged Fraud Upon Piano Dealers.

Two persons giving the names of W. J. Aimes and Charles L. Denman, were yesterday arraigned before Justice Mansfield, at the Essex Market Police Court, charged with a peculiar and adroit fraud. It was alleged, in behalf of Schraidt, Schmidt & Co., No. 119 Fifth-street, that Aimes had called at their warerooms, and stating that he was acting for Denman, purchased a piano worth $600, which he directed to be sent to the residence of the latter, No. 42 South Oxford-street, Brooklyn, to whom the bill was to be presented, at his office, in Pine-street. The bill was presented to Denman, and that person having succeeded in creating a belief in his solvency, the representative of the firm took in payment the note of Denman for $600, payable in thirty days. The piano was delivered, and when the note was due it was discovered that no person named Denman had an account, and it was of course not paid. Subsequently it was found that the piano had been removed from No. 42 South Oxford-street, where Denman was only a boarder, within a few days after it was delivered. Both prisoners were held for examination upon this charge, and also upon a similar one made by Ritter & Co., No. 220 East Twenty-second-street.

New Buildings Authorized.

The following are the localities where applications have been granted for the erection of buildings, during the past week, by the Superintendent of Public Buildings:

South side of [illegible]-st., near 10th-av., by John Breen; No. [illegible] 2d-av., by Patrick Durkee; No. [illegible] Norfolk-st., by Philip Ottman; northwest corner 2d-av. and 79th-st., by John D. Heins; No. 332 East 119th-st., by James R. Watson; No. 59 Walker-st., by Dr. Thos. C. Chalmers; No. 203 West 42d-st., by Louis Dorr; No. [illegible]; 322 West 27th-st., by John Farrell; northwest corner 145th-st. and 10th-av., by N. B. Cottrell; corner 1st-av. and 68th-st., by Chas. C. Reed; south side 106th-st., near East River, by D. M. Koehler & Co.; south side 40th-st., near 11th-av., by Eugene A. Livingston; No. 113 East Houston-st., by Wm. Wright; Nos. 208, 210, 212 and 214 Forsyth-st., by Wm. H. Wright.

These buildings are all to be of brick, except that of N. B. Cottrell, which is to be an office of corrugated iron. That of Dr. Chalmers will be a marble-fronted store. Those of Charles C. Reed and D. M. Koehler & Co. are small factories, the former of two stories, for the manufacture of varnish, and the latter of one story. Philip Ottman's building is to be an ice-house, and that of John Breen a school.

The Supply of Ice.

A comparison of the reports of different ice companies leads to the conclusion that the supply of ice, although it will probably meet the demand next Summer, will not be so abundant as usual. Up to yesterday the Companies had their houses, on an average, three-quarters full. If the river should freeze again the houses might be filled, but a few days of such weather as that of yesterday will put an end to the ice harvest. The New-York companies must also supply the companies in Philadelphia, Baltimore and Washington, where hardly any ice at all has been laid in. The price of ice will be somewhat higher than it was last year. It is said that the cost of getting the ice is greater this year than heretofore, owing to strikes on the part of the workmen, increased wharf rents and other causes.

Camp-stools in Theatres.

The practice, common in the theatres of this City, of crowding the aisles with camp-stools when the seats became filled, has been vigorously opposed by the Commissioner of Public Buildings, and is no longer followed. A man is sent to each theatre regularly every night, who takes note of any transgression of the law, and obtains the number of persons in the audiences. It is thought that the crowding of aisles would be a serious impediment to the egress of spectators in case of fire. Much fault is found by the Commissioner with the present defective arrangements of certain theatres in regard to means of escape, which will be embodied in his forthcoming report.

Hon. Daniel P. Lewis, one of the original Union men in Alabama, has written a letter urging the people of his State to regard reconstruction as a fixed fact, recognize universal suffrage, and accept with confidence and trust the administration of Gen. Grant, "not laying at his door the injustice which wrongs the Union men of 1860."

There is trouble about the office of Chief of Police of Utica. One party has brought suit against the incumbent to remove him on the charge of usurpation, and another party has obtained an injunction restraining them from interfering with him.

Mr. Josiah Stickney, of Boston, has given the income of $12,000 for thirty years to the Massachusetts Horticultural Society for the purchase of books. At the end of thirty years it is to go to Harvard College.

MONETARY AFFAIRS.

Sales at the Stock Exchange—Feb. 11, 1869.

$20,000 U. S. 6s, '81, R.	112	15,000 C., C. & I. C. 1st	[illegible]
40,000 U. S. 6s, '81, C.	112⅞	20 Tenth Nat. Bank	100
52,000 U. S. 5-20 C., '62	112¼	4 Amer. Ex. Bank	115½
40,000 U. S. 5-20 C., '65 new	109⅛	17 Merchants' Bank	125
		30 B'k of Commerce	12[illegible]
110,000 U. S. 5-20 C. '67	109½	200 Canton Co.	63½
110,000 do ... s3	109⅛	100 do ... b60	64
10,000 do ... b3	110	140 Del. & Hud. Can.	125
10,000 U. S. 5-20 C., '64	110⅞	21 West U. T.	38
5,000 U. S. 6s, 10-40 R.	108	200 do	37½
10,000 U. S. 5s, 10-40 C.	109½	100 Mariposa M. Co.	9
8,000 Brook. 6s, W. L.	[illegible]	100 do ... b10	9
21,000 Tenn. St. 6s, new	6[illegible]	200 do	8½
25,000 do ... bet. call	6[illegible]	100 Mariposa Pf.	23
5,000 do ... 2d call	6[illegible]	100 Pacific Mail	114½
10,000 do	66	300 do	114½
5,000 Tenn. St. 6s, ex c. 2d call	6[illegible]	5 do	115
		100 Adams Express	58½
2,000 N. Y. St. 7s, B'ty L. B.	106¼	200 do	59
		1300 N. Y. Central	165
2,000 Ga. St. 7s	93	300 Harlem	137½
2,000 N. Car. St. 6s	63	8 Mich. Central	119½
15,000 Va. St. 6s, ex c. bet. call	58½	100 Mich. Southern	94½
		500 do	94½
12,000 do	58½	100 do ... b60	94½
11,000 Va. St. 6s, new bet. call	62½	7 N. Y. & N. H.	150
		100 Chic. & N. W. Pf.	92
5,000 Mo. St. 6s, bet. c.	86½	10 do	92½
25,000 do ... c.	86¾	25 Clev. & Tol.	104½
5,000 Ala. St. 8s, Bds. bet. call	94	400 do	104½
		100 Lake Shore	103½
3,000 Erie 2d M.	92½	100 do	103½
4,000 Erie 4th M.	85	420 Mil. & St. Paul	66
10,000 Mich. So. S. F. B.	93½	100 do	65½
1,000 Mich. Cen. 8s, new Bds.	119½	150 Mil. & S. P. Pf.	79½
		200 T., W. & W.	66½
20,000 C. & N. W. Con. Conv't Bds.	94	500 do	66½
		200 P., Ft. W. & C.	118½
5,000 do ... bet. call	94½	200 Chi. & Alton	156½
2,000 Mich. S. 2d M.	93	100 do	156½
1,000 T. & W. Equip. B.	78	75 Chi. & Alton Pf.	156½
5,000 C. & R. I. & P. R. R. 7s	95	100 Ohio & Miss.	35½
		300 H. & St. J. bet. call	109½
2,000 C. & R. I. 1st M. B.	101	300 Han. & St. Jo. Pf. bet. call	110
1,000 Mor. & Es. 1st	97½		
5,000 M. & St. P. 8s, 1st	103½	100 Col., C. & I. Cen.	46
2,000 Chi. & G. E. 1st	85½		

SECOND BOARD—12½ P. M.

$50,000 U. S. 6s, '81 C.	112⅞	$27,000 U. S. 5-20 C. '6[illegible]	109⅛
10,000 U. S. 6s, '81, R.	113	210,000 do	109⅛
25,000 do	112¼	25,000 U. S. 5s, 10-40, R.	108⅛
61,000 U. S. 5-20 C., '62	112⅞	20,000 do	108⅛
17,000 U. S. 5-20 C. '64	110⅞	10,000 U. S. 5s, 10-40 C.	109⅛
5,500 U. S. 5-20 C. '65, new	109⅛	100,000 U. S. 6s, Cur.	101⅛

SECOND BOARD—2½ P. M.

$10,000 Tenn. 6s, new	6[illegible]	200 Reading	95
5,000 do ... bet. call	6[illegible]	200 do	94½
10,000 Tenn. St. 6s x c	6[illegible]	400 Mich. Southern	93½
10,000 N. Car. 6s, new	61½	500 do	9[illegible]
5,000 Mo. St. 6s	86½	10 Chi. & N. W. Pf.	92
1,000 N. J. Cen. 2d M.	102	200 Clev. & Tol.	104½
100 Canton	63½	100 Tol., Wab. & W.	66½
25 West. Union Tel.	37½	100 do ... s60	66
100 Boston W. P.	15½	100 do ... b60	66
200 Quick. Min. Co.	2[illegible]	500 Ohio & Miss.	33½
100 do	23	300 H. & St. Jos. Pf.	110
100 do	23½	75 N. J. Cen.	113½
200 Pacific Mail	113½	100 C., Cin. & I. C.	47
200 do ... b30	114½	100 Lake Shore	104
100 A. M. U. Ex.	46	200 Morris & Essex	87

OPEN BOARD—10 A. M.

100 Canton	63½	400 Mil. & St. P. Pf.	80
300 Mariposa Pf.	23	100 do ... c	79½
300 do ... b3	23½	200 Mich. So. & N. I.	94½
100 do	2[illegible]	400 Clev. & Tol.	105
100 N. Y. Cen. ... b4	164½	200 do ... c	105
100 do ... s10	164½	800 Clev. & Pitts.	92½
200 do	164½	100 C., R. I. & P. ... s3	132½
500 do	164½	100 do	132
300 Harlem ... b3	137½	900 Chi. & N. W.	84½
400 T., W. & W.	66½	600 Chic. & N. W. Pf. ... s3	92½
300 do	66½	1200 do	92½
200 Reading	95½	500 do ... b3	92½
100 Fort Wayne	118½	100 do ... c	92½
200 do	118½	100 do ... s3	92½
100 do	118	200 do ... b10	92½
100 Ohio & Miss. ... s3	3[illegible]		

OPEN BOARD—1 P. M.

2,000 N. Car. 6s, new	[illegible]	100 T., W. & W.	[illegible]
300 Adams Ex.	[illegible]	200 Fort Wayne	118
100 Quicksilver	[illegible]	200 Ohio & Miss.	[illegible]
400 Canton Co.	[illegible]	300 do	[illegible]
100 do ... b30	64	600 Mich. S. & N. I.	[illegible]
400 Pacific Mail	114	200 do ... b3	[illegible]
75 do	[illegible]	100 do ... b15	[illegible]
200 Mariposa Pref.	[illegible]	100 do	[illegible]
100 do ... b3	[illegible]	900 do	[illegible]
300 New-York Cen.	164½	300 Clev. & Tol.	104
100 do ... c	164½	400 do	104
200 do ... b3	164½	100 Chi. & N. W.	[illegible]
300 Hudson	137	200 Chic. & N. W. Pf.	[illegible]
200 Reading ... c	[illegible]		

OPEN BOARD—2½ P. M.

100 Canton Co.	[illegible]	400 Clev. & Pitts.	[illegible]
200 do	[illegible]	200 do	[illegible]
100 do	[illegible]	600 do	91
100 Mar. Pf.	[illegible]	300 do	91
100 do	[illegible]	200 do	91
100 do	[illegible]	300 do	91
300 Pacific Mail	113½	200 do	91
200 N. Y. Central	164½	300 Clev. & Tol.	104
600 do	164½	200 M. S. & N. I.	[illegible]
100 do ... b10	164½	300 do	[illegible]
300 do	164½	300 do ... s10	[illegible]
100 Hudson	136½	100 do ... b3	[illegible]
200 West. U. T.	37½	100 do	[illegible]
300 Reading	94½	100 Chi., R. I. & Pac.	131
100 T., W. & W.	[illegible]	200 Chic. & N. W. Pf.	[illegible]
200 Ohio & Miss.	[illegible]		

THURSDAY, Feb. 11—P. M.

The wholly speculative nature of the present movement in the Gold Room, as against the current of the Foreign Exchanges, was further developed to-day through the extreme rates of interest, 5@7 ₱ cent. paid by the Bull clique on the Room to carry over their balances. The sales of the day were above the average transactions of yesterday, notwithstanding the apparent ease of the Cash Gold and the comparatively dear rates of interest referred to. The prices were 135⅜@135¾ ₱ cent. The party operating with so much confidence for a rise in the market are said to rest their calculations upon the theory that the Bearish interest is largely in excess of the probable supply of Gold at present figures, if they should attempt or be compelled to cover their short contracts. We do not know how this may be. Our impression is that the Foreign Exchanges are too decidedly in our favor to make Gold for Cash delivery very scarce, unless the accumulation in the Treasury, from Customs Duties, hence to the first of May, (when the next important disbursement of Gold Interest takes place,) should, in the absence of sales for Government account, prove more disturbing element in our market than usual. That the Customs for February, March and April, at all the ports, will be heavier than last season, we have little or no doubt. The three months will probably yield, at all the ports, about $45,000,000, while for the same period the Gold Interest payments will scarcely reach $6,000,000.

In the Foreign Exchanges to-day we again find a large variety of offerings, as well on 60-day Bills as Short Sight, and the rates on London, to effect actual transactions, are quoted 109¼@⅜, 60 days, and 109¾@⅞ short sight. The Continental rates are adjusted, as a rule, upon the London standard. We learn that the supply of Cotton Bills on England is now on the increase from New-Orleans.

Money to the Brokers to-day rules 5@6 ₱ cent. on Government collateral; 6@7 ₱ cent. on Gold, and 7 ₱ cent. as the rule of the Street, on Railway and Miscellaneous Stocks. There is fair employment in the way of Demand Loan at 7 ₱ cent. on the Railway Stocks, and on Gold at 6@7 ₱ cent., the speculation in both being decidedly Bullish.

Another heavy business was done in the Public Funds, and generally at the full advance of yesterday, with a further rise of ⅛@¼ ₱ cent. on the May and November 5-20s of 1864 and 1865. The latter were in large request and sold at 112⅛ ₱ cent. and the price bid at the close. The Southern State Bonds were steady in prices and in fair demand; although there is said to be a Bearish feeling in the new Tennessees, and some considerable sales have been ventured upon short account. We have no direct information from the State to authorize this depression. Some large private transactions are reported in Virginias, old and new, at about 58¼ and 62½ ₱ cent. respectively, and Georgias have advanced to 93 ₱ cent.

The Railway market was irregular between the Morning sales and late Boards, and the feeling in the main was dullish, although prices were fairly supported with two or three exceptions in the Afternoon, when there was a disposition to sell Ohio and Mississippi, and Cleveland and Pittsburg. These two stocks are supposed to be controlled by the same clique, and it does not follow that the occasional break of 1@2 ₱ cent. amounts to anything more serious than an effort to impart fresh activity to and perhaps tempt a short interest in the Stocks. We discover nothing of real weakness in the market to-day, although there is doubtless more indifference on the part of buyers outside the prominent cliques in the Western Roads, than the latter could wish. New-York Central advanced to 165, @164¾@165 ₱ cent., but subsequently returned to 164½@165 ₱ cent. On the Miscellaneous list, Pacific Mail was less firmly supported than yesterday.

After the late Boards broke up the following quotations were made, (bidding prices,) as compared with Wednesday night:

	Wednesday.	Thursday.
United States 10-40s	109	109⅛
United States 5-20s of 1862	113	113⅛
United States 5-20s of 1867	109⅛	109⅛
American Gold Coin	135⅝	135⅝
Bills on London, 60 days	109⅜	109⅜
New Bonds of Tennessee	66	66
Virginia Bonds, old	58¼	58⅝
Missouri Bonds	86¾	86¾
North Carolina Bonds, old	64¾	64
New-York Central	164	163⅞
Reading Railway	95¾	94⅞
Chicago and Rock Island	132⅛	131
Northwest Common	84	83⅜
Northwest Preferred	92	91⅞
Michigan Southern	94⅝	93⅝
Pittsburg and Fort Wayne	118	117⅞
Cleveland and Pittsburg	92½	91⅞
Pacific Mail Company	115⅛	113⅞
St. Paul Preferred	80	79½
St. Paul Common	66⅛	65⅞
Toledo and Wabash	66⅛	66⅛
Cleveland and Toledo	104½	104¾
Ohio and Mississippi	35⅜	33¾

The following bids were made for the various Public Funds of the United States, at the close of business:

6 ₱ cent. reg., 1881	112⅛	5-20 coup., 1865	112⅛
6 ₱ cent. coup., 1881	112⅞	5-20 coup. '65, n. is.	109⅛
5-20 reg., 1862	109⅛	5-20 coup., 1867	109⅛
5-20 coup., 1862	112⅞	5-20 coup., 1868	110
5-20 reg., 1864	109⅛	10-40 reg.	108
5-20 coup., 1864	112	10-40 coup.	109½
5-20 reg., 1865	108⅛	6s Currency	101⅜

And the following for the State Bonds:

N. Y. Reg. B'y Loan	106	Virginia 6s, ex c.	58⅝
N. Y. Coup. B'y Loan	109	Virginia 6s, new bds.	62½
N. Y. 6 ₱ c. Canal '72	102	Georgia 7s, new bds.	93
N. Y. 6 ₱ c. Canal '73	102	North Carolina 6s	64
N. Y. 6 ₱ c. Canal '74	100	North Car. 6s n. bds.	61⅛
N. Y. 6 ₱ c. Canal '75	102	Missouri 6s	86⅛
N. Y. 6 ₱ c. Canal '77	102	Louisiana 6s	70½
N. Y. 6 ₱ c. Canal '78	102	Connecticut 6s	99
N. Y. 5 ₱ c. Canal '74	100	Rhode Island 6s	99
Tennessee 6s, ex Coup.	66	Alabama 5s	[illegible]
Tennessee 6s, n bnds.	66	Alabama 8s	93½

And the following for the City Bank Stocks:

New-York	134	Metropolitan	150
Merchants'	124	Grocers'	120
Mechanics'	139	Nassau	105
America	146	Corn Exchange	127
Phenix	105	Continental	90
Fulton	151	St. Nicholas	108
National	110	Commonwealth	[illegible]
Merchants' Exch'ge	118	Imp. and Traders'	128½
Seventh Ward	108	Park	154
State of New-York	114½	Manuf's and Merch's	101½
Commerce	[illegible]	Central National	[illegible]
Ocean	105	Fourth National	[illegible]
American Exchange	115½	Tenth National	[illegible]
Bank of the Republic	118	Oriental	147½
Hanover	[illegible]	Gold Exchange	[illegible]
Irving	[illegible]		

And the following for the Railway Mortgages:

N. Y. Cen. 6s, 1883	[illegible]	Lack. & Western bds.	[illegible]
N. Y. Cen. 6s, R. Est.	87	Del., L. & W. 1st M.	95
N. Y. C. 6s, Subscr'n	87	Tol. & W. Equip. bds.	78
Erie 7s, 2d ind., 1879	100	Gt. West'n M. '88	[illegible]
Erie 7s, 3d ind., 1883	[illegible]	Gal. & Chi. extended	97
Erie 7s, 4th ind., 1880	[illegible]	Chi. & R. I. 1st M.	100½
B., N. Y. & E. 1st '77	[illegible]	Chi. R. I. & P.	[illegible]
Hd. R. 7s, 1st M. 1869-70	[illegible]	N. J. Cen. 1st M.	[illegible]
Harlem 1st M.	101½	N. Y. Cen. 2d M.	101
Mich. C. 8 ₱ ct. '69-'72	[illegible]	Morris & Essex 1st M.	[illegible]
Mich. C. s. 1st M. 8s, '82	[illegible]	Morris & Essex 2d M.	[illegible]
C., B. & Q. 8 ₱ c. 1st M.	[illegible]	Cleve. & P. 2d M.	[illegible]
Mich. S. 7 ₱ c. 2d M.	[illegible]	Cleve. & P. 3d M.	[illegible]
M. S. & N. I. S. F. 7 ₱ c.	[illegible]	Cleve. & P. 4th M.	[illegible]
Alton & T. H. 1st M.	[illegible]	Chi. & Alton 1st M.	[illegible]
Alton & T. H. 2d M. pf.	[illegible]	Chi. & Alton inc.	[illegible]
Alton & T. H. 2d M. inc.	78	Ohio & Miss. 1st M.	[illegible]
Chi. & N. W. S. Fund	[illegible]	Mil. & St. P. 1st M. 8s	[illegible]
Chi. & N. W. Ex. bds.	[illegible]	Mil. & St. P. 1st 7 3-10	[illegible]
Chi. & N. W. 1st M.	[illegible]	Mil. & St. Paul 1st M.	[illegible]
Com. 7 ₱ cent. con.	94	Mil. & St. Paul 2d M.	[illegible]
Han. & St. J. L. Gr.	[illegible]	Mil. & St. P. P. & M. d.	[illegible]
Han. & St. Jo. con.	110	C. & Gt. East'n 1st M.	[illegible]

A new banking institution, to be known as the Harlem Bank, has completed its organization, and will open for business about March 1, near the corner of Third-avenue and One Hundred and Twenty-fourth-street. The capital is $500,000, and books are open for subscription, for stock at the office of Addison Smith, Esq., No. 1,890 Third-avenue.

The day's business at the Office of the United States Assistant Treasurer was as follows: Total receipts, $[illegible]; total payments, $[illegible]; balance, $[illegible]. The receipts include for Customs, $[illegible]; for Gold Notes, $[illegible].

The Customs for the four days of the week amount to $[illegible].

It is announced from New-England that the Boston, Hartford and Erie Company have leased the Norwich and Worcester Road for ninety-years. The bargain has been concluded by the Stockholders on both sides. The Norwich Stock is to receive 10 ₱ cent. a year net. The Boston and Erie Company have also arranged with the New-London Northern Road, by which a through line between New-York and Boston is to be insured, without change of cars or the use of the present Shore Line Ferry at the Connecticut River, after July next, by which time the River will be bridged.

The business of the Illinois Central Railroad Company, for January, 1869, was as follows:

Acres construction lands sold	[illegible]	[illegible]
Acres interest fund lands sold	280	[illegible]
Acres free lands sold	[illegible]	[illegible]
Total sales during the month of January, 1869	[illegible]	[illegible]
To which add town-lot sales		[illegible]
Total of all	[illegible]	[illegible]
Cash collected in January		[illegible]
Receipts from freight		[illegible]
Receipts from passengers		[illegible]
Receipts from mails		[illegible]
Receipts from rent of road		[illegible]
Receipts from other sources		[illegible]
Total receipts in month of January, 1869		[illegible]
Total receipts in month of January, 1868		[illegible]
Increase		[illegible]
Estimated earnings in the month of January, on the leased Dubuque and Sioux City Road, not included above		[illegible]
Corresponding month of 1868		[illegible]

The Chicago and Alton Company have declared a half-yearly Dividend of 5 ₱ cent. on both classes of their Stock, payable March 1.

The following are the comparative earnings of the Michigan Central Railroad for the first week in February:

1869	$80,441
1868	70,931
Increase	$9,510

Comparative earnings of the Chicago and Northwestern Railroad Company for the first week in February:

1869	$182,540
1868	175,165
Increase	$7,375

The Cotton Circular of Messrs. W. P. Wright & Co. of yesterday, (for the Cunard steamer,) reports as follows:

	1869.	1868.
Receipts at ports	$1,468,000	$1,406,000
Consumed	123,000	120,000
Total since Sept. 1	$1,591,000	$1,526,000
Total exports	712,000	674,000

The following are the comparative earnings of the Michigan Southern Railroad for the first week in February:

1869	$80,441
1868	70,931
Increase	$9,510

Comparative earnings of the Chicago and Northwestern Railroad Company for the first week in February:

1869	$182,540
1868	175,165
Increase	$7,375

The Titusville *Herald* says:

"The stock of Petroleum in the United States on Jan. 1, 1869, according to the closest estimates we have been able to obtain, was 700,000 barrels of crude oil, or its equivalent, against about 1,000,000 barrels at the same time in 1868, showing a reduction during the year of a little over 300,000 barrels. The foregoing applies to oil produced in Pennsylvania, and does not include a stock of about 30,000 barrels on hand in West Virginia and Ohio on Jan. 1, 1869, and one of about [illegible] barrels in the same States on the 1st of Jan., 1868. The annexed table shows the stocks on hand on the first day of January, 1868 and 1869:

	1868. Bbls.	1869. Bbls.
In New-York	[illegible]	[illegible]
In Pittsburg	[illegible]	[illegible]
In Philadelphia	[illegible]	[illegible]
In Cleveland	[illegible]	[illegible]
In Boston and Baltimore	[illegible]	[illegible]
In Erie, Corry and Buffalo	[illegible]	[illegible]
In Oil Regions	[illegible]	[illegible]
On Railroads and shipping	[illegible]	[illegible]
Total	[illegible]	[illegible]

In making up our [illegible] last year, the stock at Pittsburg was set down at 75,000 barrels, but by [illegible].

We compile the following account of stocks in [illegible] Europe [illegible]:

	Bbls. About		
Bremen	[illegible]	Outports of the United Kingdom	[illegible]
Afloat	[illegible]	Afloat	[illegible]
Antwerp	[illegible]	Havre	[illegible]
Afloat	[illegible]	Afloat	[illegible]
Hamburg	[illegible]	Marseilles	[illegible]
Afloat	[illegible]	Afloat	[illegible]
Rotterdam	[illegible]	Genoa	[illegible]
Afloat	[illegible]	Afloat	[illegible]
Stettin	[illegible]	Trieste	[illegible]
Afloat	[illegible]	Afloat	[illegible]
London	[illegible]	Other European ports	[illegible]
Afloat	[illegible]	Afloat	[illegible]
Liverpool	[illegible]		
Afloat	[illegible]		
Total stock and amounts afloat Jan. 1, 1869	[illegible]		
Same Jan. 1, 1868	[illegible]		

Nearly all the above amounts are Refined, [illegible]

In the United States Jan. 1, 1869, bbls.	[illegible]
In and afloat for Europe Jan. 1, 1869	[illegible]
Total bbls.	[illegible]
In the United States Jan. 1, 1868, bbls.	[illegible]
In and afloat for Europe Jan. 1, 1868	[illegible]
Total bbls.	[illegible]
Decrease on Jan. 1, 1869	[illegible]

Allowing 27,000 barrels of Refined for the decrease in the stock in Western Virginia and Ohio, the total decrease in the United States and Europe was about 400,000 barrels, or a Crude equivalent of about [illegible] barrels."

A Philadelphia exchange says:

"The annual meeting of the stockholders of the Philadelphia and Erie Railroad Company was held at the office of the Company, No. 230 Walnut-street, at 10 o'clock this morning.

The annual report of the President of the Company, from which the following figures are taken, was submitted:

Gross Receipts During the Past Year.

From passengers	$[illegible]
From freight	[illegible]
From mail and miscellaneous	[illegible]
Total	$[illegible]
Receipts in 1867	[illegible]
Increase in 1868	$[illegible]
30 per cent. of the gross earnings due the Company amounts to	$[illegible]
Of which there has been paid on account of interest and expenses	[illegible]
Leaving a balance in favor of Company	$[illegible]
Total amount of tonnage in 1868	[illegible]
Total amount of tonnage in 1867	[illegible]
Increase	[illegible]
Total number of passengers carried in 1868	[illegible]
Total number of passengers carried in 1867	[illegible]
Decrease	[illegible]

This decrease, however, is wholly due to the local or way business, as the number of through passengers carried in 1868 exceeded the number carried in 1867 by [illegible].

The following gentlemen were elected managers of the Company to serve for the ensuing year: Edward F. Gay, J. Edgar Thomson, Wistar Morris, Henry Duhring, Jacob P. Jones, Josiah Bacon, Samuel T. Bodine, John Kennedy, Washington Butcher and Henry D. Moore. The foregoing, together with the following gentlemen, elected managers by our City Councils, constitute the full Board: Charles F. Norton, Joseph W. Gaskill, and J. Alexander Simpson."

Messrs. John Bingham & Co., in their Liverpool Produce Circular of Jan. [illegible], remark as follows:

"The Country Grain Markets held in the earlier part of the week were quoted the turn lower for English Wheat, but those held later on have shown more firmness [illegible]. There has been a large business doing in cargoes on the coast, and better prices [illegible] the past day or two. There are now on sale [illegible] cargoes Wheat, [illegible] cargoes Maize, and [illegible] cargoes of Barley. The following are the sales of Wheat and Maize [illegible]: Wheat arrived—12 cargoes Marianopoli @ [illegible]

[illegible]

Tuesday's market. Red Wheat was 1d. to 2d., and White Wheat [illegible] ₱ cental lower. Flour was [illegible] ₱ barrel and sack lower, and Indian Corn gave way 3d. to 6d. ₱ quarter. Oats were the [illegible] October 3s. to 4d. ₱ load cheaper. Some declined 6d. to 1s. ₱ quarter, and Peas were also a shade easier. At our Corn Exchange to-day, although the attendance was only moderate, Wheat met a good demand, American [illegible] an advance of 2d. ₱ cental, and all other sorts full previous rates. [illegible] Indian Corn [illegible] rates slightly in favor of buyers. Beans were again in [illegible]. Peas, with a retail demand, remained unchanged in value."

American [illegible] in London.

From the London Times, Jan. 28.

The United States are at this moment fortunate in possessing something like three Chancellors of the Exchequer. [illegible] by Sir Robert Peel, who passed the [illegible] debt and meeting the whole of the national expenditure by a steady issue of paper. [illegible] and it may be added that, speaking to a community [illegible] than their brethren in faith do here. But there are in the United States three official persons more or less charged with the duty of watching the financial position of the country, and of reporting to the Legislature what should be done. There is Mr. McCulloch, the actual Secretary of the Treasury, whose business it is to submit to Congress in the annual meeting in December a review of the income and expenditure of the past twelve months, an estimate for the current year, and a forecast of what may be expected in the twelve months after. Then there is Mr. David Wells, the Special Commissioner of the Revenue, who is thought by some to be the probable successor of Mr. McCulloch when Gen. Grant enters upon office, also charged with the duty of reporting and advising on the finances of the past and the future. Lastly, there is Mr. Washburne, the Chairman of the Committee of the House of Representatives on Appropriations, who, [illegible] has the privilege of speaking face to face with the tax-voting branch of Congress, and who is believed to hold and expound Gen. Grant's own views on the financial policy of the Union.

The United States have three Chancellors of the Exchequer, and they agree in one point. "Economy," cries Mr. McCulloch. "Economy," echoes Mr. Wells. "Economy," reiterates Mr. Washburne. The world has indeed just now a fit of economy, and [illegible] the necessity of retrenchment can scarcely believe [illegible]. Our own Cabinet is rushing at economy with [illegible]. Our Melbourne correspondent tells us that there is a [illegible] economy in the Australian [illegible] Finance concur in pressing upon public opinion the necessity of thrift. The Americans [illegible] to appeal to an argument of crushing effect in support of their views. In the last twelve months the total amount of their national debt has been increased. On the 1st of January, 1868, the sum of all forms of indebtedness was $2,641,300,000. On the 1st of January, 1869, the debt reached $[illegible]. There has, therefore, been an increase in the twelve months in the capital of the debt of more than $10,000,000. It is true this increase would not have occurred had it not been that bonds to a larger amount have been issued by way of subsidy toward the making of the Central Pacific Railway, but it has now become apparent that this subsidy must be provided out of a surplus of revenue [illegible]

[illegible]

One of the most cheering points of the existing state of financial opinion in the United States is the decline [illegible]

[illegible]

Internal Revenue Decisions.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
WASHINGTON, Jan. 30, 1869.

SIR: I herewith comply with your verbal request for the ruling of this office, touching liability of building associations to special and other tax, imposed on banks and bankers by the laws of Internal Revenue.

It is believed that many if not all building associations are, in effect, nothing more or less than savings institutions doing business for the exclusive benefit of the shareholders of such associations.

In view of this, therefore, it is held that every savings Association which comes strictly within the provisions of [illegible], section 110, act June 30, 1864, as amended, that is, has no capital stock, and does no business except receiving deposits to be loaned or invested for the sole benefit of the depositors, without profit or compensation to the Company, is exempt from tax as provided in said provision. [illegible] the Association, however, being relieved from liability [illegible]

Very respectfully,
E. A. ROLLINS, Commissioner.

Hon. J. LAWRENCE GETZ, House of Representatives, Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
WASHINGTON, Feb. 2, 1869.

SIR: In reply to your letter of Jan. 26, in relation to [illegible] tobacco, I have to say that section [illegible] putting the proprietor's name, if desired, instead of the manufacturer's name, upon packages of tobacco. When the proprietor's name, however, is put upon packages of tobacco, it should not appear to be the manufacturer's, but as the proprietor's name; that is, the tobacco should not be so labeled as to appear to have been manufactured by, but for the proprietor. [illegible]

Very respectfully,
THOMAS HARLAND, Deputy Commissioner.

BANKING AND FINANCIAL.

☞ THE FIRST MORTGAGE, FIFTY-YEAR CONVERTIBLE BONDS of the ROCKFORD, ROCK ISLAND and ST. LOUIS RAILROAD COMPANY pay the PRINCIPAL AND SEVEN PER CENT. INTEREST—1st FEBRUARY and 1st AUGUST—IN GOLD COIN, free of Government Tax.

The Bonds are offered at 97½ and accrued interest in currency.

Pamphlets, with maps, giving full information, sent on application.

All Bonds subscribed for sent by Express free of charge.

The Bonds may be had of H. H. BOODY, Treasurer, No. 12 Wall-st., or of HENRY CLEWS & CO., Bankers, No. 32 Wall-st., New-York.

BANKING AND FINANCIAL.

☞ OFFICE OF FISK & HATCH, BANKERS and dealers in Government Securities, and Financial Agents of the Central Pacific Railroad Company, No. 5 Nassau-st.

NEW-YORK, Feb. 5, 1869.

THE CENTRAL PACIFIC RAILROAD COMPANY have this day withdrawn from the market their FIRST MORTGAGE BONDS.

They do this in consequence of negotiations, by which the full amount of Bonds which the Company now deem it necessary to sell to complete their line, have been disposed of.

We shall continue to deal in the Bonds, and whenever they can be obtained, we will fill orders at the current market rates.

The successful negotiation of this loan, the immense value of the property upon which it is a First Mortgage, the large earnings of the road, together with the high credit of the Company, its judicious and honorable management, and the prosperous condition of its affairs, place the FIRST MORTGAGE BONDS OF THE CENTRAL PACIFIC RAILROAD COMPANY among the most popular, safe and desirable Securities in the market.

The Seven Per Cent. State Aid Bonds of this Company, originally negotiated by us at from 95 to par, are now selling at 108 to 110 and accrued interest.

It is expected that the road will be completed and the through connection across the Continent formed within a few months, when the through traffic, added to the growing local business, will render it one of the most successful railroad enterprises in the world. FISK & HATCH.

Transfers of Real Estate.

NEW-YORK CITY.

[illegible]

Leases Recorded.

Broadway, No. 187, basement, 5 years and 2 months, per year ... $4,500

[illegible]

KINGS COUNTY.

Brooklyn.

Baltic-st., n. s., 275 ft. w. of Buffalo-av., [illegible]

[illegible]

Leases Recorded.

[illegible]

QUEENS COUNTY.

Flushing.

Barclay-st., n. s., [illegible] of Parsons-av., 25x118 ... [illegible]

Jamaica.

Liberty-av., n. s., Van Wicklen's estate, 6 acres ... [illegible]

Long Island City.

[illegible]

Newtown.

[illegible]

Oyster Bay.

Mill Neck road, [illegible] adjoining Cocks, [illegible]

Road through Locust Valley, indefinite acres, adjoining Cocks ... [illegible]

WESTCHESTER COUNTY.

East Chester.

[illegible] lot No. [illegible], Mount Vernon, half share ... [illegible]

8th-av., e. s., lot No. 372, Mount Vernon, half share ... 700

Morrisania.

[illegible]

NEW-JERSEY.

Newark.

Bergen-st., w. s., [illegible] of South Orange-av. ... [illegible]

Camden-st., [illegible] of South Orange-av. ... [illegible]

Market-st., [illegible] of Harrison's land ... [illegible]

[illegible]

East Orange.

[illegible]

Livingston.

Plot adjoining Wardell's property, S. Munger's ... [illegible]

Jersey City.

[illegible]

Hoboken.

[illegible]

Hudson City.

[illegible]

Bayonne.

[illegible]

Union.

[illegible]

Harrison.

[illegible]

GENERAL MARKETS.

NEW-YORK, Thursday, Feb. 11, 1869.

The receipts of the principal kinds of Produce since our last have been as follows:

Ashes, bbls.	[illegible]	Barley, bushels	[illegible]
Flour, bbls.	2,700	Malt, bushels	[illegible]
Flour, bags	[illegible]	Peas, bushels	[illegible]
Cornmeal, bbls.	100	Pork, bbls.	[illegible]
Cornmeal, bags	[illegible]	Cut Meats, pkgs.	[illegible]
Wheat, bushels	[illegible]	Lard, pkgs.	[illegible]
Corn, bushels	[illegible]	[illegible]	[illegible]
Rye, bushels	[illegible]	Whisky, bbls.	[illegible]
Oats, bushels	[illegible]	[illegible]	[illegible]

ASHES—Have been in demand at $[illegible] for Pots and $[illegible] for Pearls, ₱ 100 lbs.

COFFEE—Has been in good request and held firmly, including Java, [illegible]; Maracaibo, [illegible]; Laguayra, [illegible]; Rio, [illegible], in bond; [illegible] Ceylon, [illegible]; Jamaica, [illegible]; St. Domingo, [illegible], all in gold, ₱ lb. Sales, [illegible] bags, chiefly Rio.

COTTON—Has been in limited demand and rather firm in price. Sales have been reported since our last of [illegible] bales including [illegible] bales to spinners, [illegible] bales to speculators and [illegible] bales to shippers. Sales were also reported of 200 bales Low Middling, for March, and 200 bales Low Middling, for April delivery, at [illegible] ₱ lb.

Closing Prices of Cotton.

	Uplands.	Mobile.	N. O.	Texas.
Ordinary	[illegible]	[illegible]	[illegible]	[illegible]
Good Ordinary	[illegible]	[illegible]	[illegible]	[illegible]
Low Middling	[illegible]	[illegible]	[illegible]	[illegible]
Middling	[illegible]	[illegible]	[illegible]	[illegible]

Movement of Cotton at this Port.

	Bales.
Receipts, thus far, this week	[illegible]
Receipts last week	[illegible]
Receipts preceding week	[illegible]
Receipts since Jan. 1	[illegible]
Receipts since Sept. 1, 1868	[illegible]
Receipts year ending Jan. 1, 1868	[illegible]
Receipts year ending Sept. 1, 1868	[illegible]
Exports since Jan. 1	[illegible]
Exports since Sept. 1, 1868	[illegible]
Exports year ending Jan. 1, 1868	[illegible]
Exports year ending Sept. 1, 1868	[illegible]
Estimated stock on hand here	[illegible]

Movements of Cotton at all the Shipping Ports.

Receipts from Sept. 1, 1868, to latest mail dates	[illegible]
Receipts same time in 1867	[illegible]
Receipts at all the ports year ending Sept. 1, 1868	[illegible]
Receipts at all the shipping ports of the United States from the close of the war, May 1, 1865, to Sept. 1, 1867	[illegible]
Exports from all the ports from Sept. 1, 1868, to latest dates	[illegible]
Exports same time last year	[illegible]
Exports from all the ports year ending Sept. 1, 1868	[illegible]
Exports preceding Cotton year	[illegible]
Estimated stock at the shipping ports, latest mail dates	[illegible]
Estimated stock, same time last year	[illegible]
Estimated stock on hand at all ports, Aug. 31, 1868	[illegible]
Estimated stock same time in 1867	[illegible]
Crop of 1867-8	[illegible]
Crop of 1866-7	[illegible]

EGGS—Have been arriving freely, and though in good request, prices have been without improvement. We quote: Jersey, Extra brands, 27c.@28c.; State and Pennsylvania, 25c.@26c.; Ordinary Western, 23c.@25c.; Western, by express, 25c.@26c.; Canada, 24c.@26c.; Limed, 15c.@20c. ₱ dozen.

FRUIT—Apples are moving slowly at about quotations. [illegible] Dried Apples are quiet. Unpeeled Peaches are in more inquiry and prices are firm; Peeled of the better grades are steadily held. Berries are quiet. We quote: New Apples, State, [illegible]; New Apples, Western, [illegible]; New Apples, Southern, [illegible]; New Peaches, prime, [illegible]; Peaches, good, [illegible]; Peaches, common, [illegible]; Peaches, unpeeled, halves, [illegible]; Peaches, unpeeled, quarters, [illegible]; Blackberries, [illegible]; Raspberries, [illegible]; Cherries, pitted, [illegible]; Plums, [illegible] ₱ lb.

FLOUR AND MEAL—State and Western Flour has been more active to-day, and prices have been quoted firmer. Sales have been reported of 12,400 bbls. in lots, including very poor to choice Superfine State and Western at $[illegible]; very inferior to fair ordinary Extra State at $[illegible]; fair ordinary to choice genuine Spring Wheat Extra State at $[illegible], and poor to good shipping brands of round-hoop Extra Ohio at $[illegible] ₱ bbl. We quote:

Superfine State and Western	[illegible]
Extra State	[illegible]
Extra Illinois, Indiana, Michigan, &c.	[illegible]
Extra Ohio, round-hoop, shipping brands	[illegible]
Extra Ohio, trade and family brands	[illegible]
Extra Genesee	[illegible]
Common to Fancy Extra Missouri	[illegible]

Southern Flour has been in light demand at irregular rates; sales have been reported since our last of [illegible] bbls. at $[illegible] for very poor to fair ordinary, and $[illegible] for fair ordinary to very superior Extra ₱ bbl. California Flour is in very moderate demand at $[illegible], as extremes, for poor to choice old, and $[illegible] for new extras, ₱ 196 lbs.; sales [illegible] sacks. Rye Flour is inactive at $[illegible] for very inferior to choice, ₱ bbl.; sales [illegible] bbls. Corn Meal is dull at $[illegible] for Western; $[illegible] for Jersey, and $[illegible] for Brandywine ₱ bbl.; sales [illegible] bbls. Buckwheat Flour is in moderate demand at $[illegible] ₱ 100 lbs.

GRAIN—Wheat has been in more demand, mainly for export, at a partial advance of [illegible] ₱ bushel. Sales have been reported, since our last, of [illegible] bushels, including White Western at $[illegible]; Red and Amber do. at $[illegible]; No. 1 Spring, in store, on private terms; No. 2 Spring at $[illegible], in store and afloat; and White Southern at $[illegible] ₱ bushel. Corn has been in good request and again quoted firmer in price. Sales have been reported since our last of 71,000 bushels, at [illegible] for New Mixed Western; $[illegible] for Old Mixed Western, in store and afloat, and [illegible] for New White and Yellow, according to quality and condition, ₱ bushel. Rye has been inactive at $[illegible] for Western ₱ bushel. Barley has been quiet to-day; [illegible] bushels German changed hands at $[illegible] ₱ bushel. Of Barley Malt further small sales were made at from $[illegible] ₱ bushel. Oats have been in fair request at firmer prices. Sales have been reported since our last of [illegible] bushels Western at [illegible], in store, and [illegible] afloat, ₱ bushel. The Bean market is dull, and with an accumulation of stock prices are weak. We quote: Beans, Pea, prime, $[illegible]; Beans, Marrow, prime, $[illegible]; Beans, Medium, prime, $[illegible]; Peas, Canada, free, $[illegible] ₱ bushel.

HAY—North River Bale has been lightly dealt in at [illegible] for shipping and $[illegible] for poor to choice for local use, ₱ 100 lbs. Straw rules quiet at [illegible] for long and short ₱ 100 lbs.

HOPS—Continue in demand at previous prices, including American at [illegible] for New, and [illegible] for Old, ₱ lb. We quote in small lots, New-York State, [illegible]; Eastern, [illegible]; Wisconsin, [illegible]; Michigan, [illegible]; Yearlings, all grades, [illegible] ₱ lb.

LEATHER—Sole, is quite active at the improved [illegible]

MOLASSES—The market has been [illegible] for all kinds. Porto Rico at [illegible]; Cuba at [illegible]; [illegible] New-Orleans [illegible]

NAVAL STORES—But little variation can be noted in the line, trade being only moderate for all descriptions. [illegible] ₱ gallon. [illegible] Tar at [illegible]; Pitch at [illegible] ₱ bbl.

OILS—The market has been dull to-day, [illegible]

PETROLEUM—Has been in moderate request at [illegible] for Crude in bulk; [illegible] for Crude in bbls., and [illegible] for Refined in bond ₱ gallon.

POTATOES—The market is dull and prices are unchanged. We quote: Monitor Potatoes, $[illegible]; [illegible]; Peach Blows, $[illegible]; Prince Albert, $[illegible]; [illegible] Delaware Sweet [illegible] ₱ bbl.; Onions, Red, [illegible]; Onions, Yellow, [illegible]; Marrow Squash, [illegible]; Russia Turnips, [illegible] ₱ bbl.

POULTRY AND GAME—The supply of Poultry has been quite light during the week, and as the late held-over have been cleared out, receivers were enabled to obtain better prices for fresh stock. We quote: Dressed Poultry—Turkeys, [illegible]; Geese, [illegible]; Ducks, [illegible]; Chickens, [illegible] ₱ lb. Partridges, ₱ pair, [illegible]; Grouse, ₱ pair, [illegible]; Ducks, red heads, ₱ pair, [illegible]; Ducks, canvas backs, ₱ pair, [illegible].

PROVISIONS—Pork has been in limited demand and depressed in price. Sales have been reported of [illegible] bbls., including [illegible] for New Mess, [illegible] for Old Mess, [illegible] for Prime and Extra Prime ₱ bbl. Sales were also reported of 750 bbls. New Mess, February and March delivery, at buyer's option, part at $[illegible] ₱ bbl. Government took [illegible] bbls. Prime Mess at $[illegible] ₱ bbl. Dressed Hogs are in less demand at [illegible] for Western, and [illegible] for City, ₱ lb. Cut Meats continue in request at full prices; sales equal to [illegible] packages, at [illegible] for Dry Salted and Pickled Hams; [illegible] for Shoulders, ₱ lb. Bacon is quiet and drooping. Sales [illegible] boxes, including Cumberlands, at [illegible]; Short Rib, at [illegible] ₱ lb. Lard has been rather more freely offered, and has been in slack request at under prices. Sales have been reported since our last of [illegible] tierces and bbls. at [illegible] for Poor to Choice, chiefly at [illegible] for City, and [illegible] for Good to Prime Western Steam, ₱ lb. Sales were also made of 250 tierces Prime Steam at seller's option, March, on private terms, ₱ lb. Beef has been inactive at $[illegible] for Plain Mess, $[illegible] for Extra Mess and $[illegible] for inferior grades of barreled Mess Beef; sales reported, 125 bbls. Tierce Beef continues inactive, including New Prime Mess at $[illegible]; India Mess at $[illegible] ₱ tierce; sales 175 tierces. Beef Hams rule dull at $[illegible] ₱ bbl.; sales 125 bbls. Of the week's business in Butter and Cheese, Messrs. Starr & Floyd, in their special report for the WEEKLY TIMES, remark as follows:

"The general Produce market shows a decided improvement in both tone and transactions, and a good healthy trade is once more progressing. The total receipts of Butter for the week are [illegible] packages, which shows a further diminution of some 2,000 packages from the week preceding. Trade has been fairly active at our quotations, which are now fully sustained, with sales of some fancy stock at prices outside. The demand for Butter for [illegible] has again fairly opened, and local demand is increasing owing to the approach of [illegible] for the season of Lent, which begins this day, and during which the consumption of dairy products is very considerable. [illegible] movement to break down market rates for Butter has [illegible] changed quotations, with increased demand.

BUTTER.

Chenango, [illegible] and Orange County dairies, firkins, ₱ lb.	[illegible]
Chenango, Delaware and Chautauque County dairies, firkins, ₱ lb.	[illegible]
Cortland, Broome and Steuben County dairies, firkins, ₱ lb.	[illegible]
Cattaraugus and Yates County dairies, firkins, ₱ lb.	[illegible]
Ordinary to Fair State dairies, firkins, ₱ lb.	[illegible]
State half firkin tubs, Extra, ₱ lb.	[illegible]
State half firkin tubs, Fair to Good, ₱ lb.	[illegible]
Welsh tubs, Lewis and Oswego County, ₱ lb.	[illegible]
Welsh tubs, Fair to Good, ₱ lb.	[illegible]
Pennsylvania dairies, firkins, Good to Prime, ₱ lb.	[illegible]
Pennsylvania dairies, firkins, Ordinary, ₱ lb.	[illegible]
Western Reserve, firkins, Good to Prime, ₱ lb.	[illegible]
Illinois and Wisconsin, firkins, Good to Prime, ₱ lb.	[illegible]
Ordinary Western, firkins, Fair to Good, ₱ lb.	[illegible]
Common Western, ₱ lb.	[illegible]
Western Rolls, ₱ lb.	[illegible]

The total receipts of Cheese for the week ending this day are [illegible] boxes. We have no change to note in the market. The stock remaining in market is in few and strong hands, and the sales are made at full prices. Some extra qualities are held out of market in anticipation of still higher rates. We quote:

CHEESE.

Factory dairies, fancy and choice, ₱ lb.	[illegible]
Factory dairies, fair quality, ₱ lb.	[illegible]
Farm dairies, fancy and extra quality, ₱ lb.	[illegible]
Farm dairies, fair to good, ₱ lb.	[illegible]
Orange County, Skimmed Cheese	[illegible]

RICE—There has been little movement in this line, but prices have been supported as follows: [illegible]; Broken Rice, [illegible]; Fair Rangoon, [illegible]; Good Rangoon, [illegible]; Prime Rangoon, [illegible]; Common Carolina, [illegible]; Fair Carolina, [illegible]; Good Carolina, [illegible]; Prime Carolina, [illegible]; Extra Prime Carolina, [illegible] ₱ lb. [illegible] Rice Polish at [illegible]

SUGAR—The market has been active and excited, and prices have been quoted higher, influenced by the reports of the spread of the revolution in Cuba. The trade and refiners have been free buyers. Out-of-town orders have been coming in for some days past, in unusual numbers, both by mail and telegraph. Sales have been reported since our last of [illegible] hhds. New-Orleans, Cuba, &c., at from [illegible], and 700 boxes Havana, part at [illegible], and two or three invoices of Manilla, part at [illegible] ₱ lb. Refined Sugars are in more general request at [illegible] ₱ lb.

TALLOW—The market has been quiet to-day, though buyers have had any existing advantage in prices. Sales [illegible] lbs. Tallow at [illegible]; also [illegible]

WHISKY—Has been dull and nominal to-day.

FREIGHTS—The market has been quoted heavy. For Liverpool, there were taken, by steamer, 850 bales Cotton at [illegible] ₱ lb., [illegible] bushels Wheat at [illegible] ₱ bushel. For London, 50 tons Measurement Goods on private terms. For Cork and orders, three vessels with grain at [illegible] ₱ quarter.

The New-York Times.

TRIPLE SHEET.

NEW-YORK, FRIDAY, FEB. 12, 1869.

Amusements this Evening.

ACADEMY OF MUSIC.
14th-st. and Irving-place.
NORMA, (Italian Opera.) Characters by Mme. La Grange, Miss McCulloch, Messrs. Boetti, Antonucci, and others.

BROOKLYN ACADEMY OF MUSIC.
Montague-st., near Clinton-st.
GRAND CONCERT. Artists: Miss Agatha States, Herr Ole Bull, Messrs. S. B. Mills, Steins, Colby, and others.

GRAND OPERA HOUSE.
23d-st., corner 8th-av.
ORPHEE AUX ENFERS. Characters by Mlle. Tostee, Mlle. Duclos, Mlle. Delphine, Mlle. Cadic, Messrs. Duers, Leduc, Duschesne, Guidon, Lagriffoul, and others.

BOOTH'S THEATRE.
23d-st., corner of 6th-av.
ROMEO AND JULIET. Characters by Messrs. Edwin Booth, Mark Smith, Adams, T. J. Hind, Monroe, Norris, Miss Mary McVicker, Miss Fanny Morant, Miss Proudfoot, and others.

WALLACK'S THEATRE.
Broadway, corner 13th-st.
MUCH ADO ABOUT NOTHING. Characters by Messrs. Lester Wallack, Gilbert, Fisher, Stoddart, Ringgold, Miss Rose Eytinge, Mrs. Clara Jennings, Miss Annie Ward and others.

BROUGHAM'S THEATRE.
24th-st., near 6th-av.
AN IRISH STEW and THE DRAMATIC REVIEW FOR 1868. Characters by Mr. John Brougham, Mr. Stoddart, Miss Newton, Miss Fisher and others.

NIBLO'S GARDEN.
Broadway, between Prince and Houston sts.
FORTY THIEVES; OR, STRIKING OIL IN FAMILY JARS. Characters by Misses Lydia Thompson, Weber, Markham, Grattan, Mr. Beckett and others.

OLYMPIC THEATRE.
Broadway, between Houston and Bleecker sts.
HUMPTY DUMPTY. Characters by Mr. Geo. L. Fox, Mr. F. Lacy, Mr. C. K. Fox, Mlle. Laurent, Mrs. C. Edmonds, Miss E. Harrison, Mr. Sinclair and others.

FRENCH THEATRE.
14th-st., near 6th-av.
FLEUR DE THE. Characters by Mme. Desclauzas, Mlle. Rizarelli, Messrs. Carrier, Lefevre, Beckers, Genot, Petit and others.

THEATRE COMIQUE.
No. 514 Broadway.
PLUTO, and COMIC SKETCHES and LIVING STATUES. Characters by Mr. W. H. Lingard, Misses Alice Dunning, Norman, Lingard, Leton and others.

BROADWAY THEATRE.
Broadway, near Broome-st.
THE LIVE INDIAN and THE PEOPLE'S LAWYER. Leading characters by Mr. John E. Owens.

NEW-YORK THEATRE.
Broadway, near 8th-st.
OTHELLO. Leading characters by Mr. McKean Buchanan and Miss Virginia Buchanan.

WOOD'S MUSEUM AND THEATRE.
Broadway, corner of 30th-st.
Afternoon—IXION. Evening—FIELD OF THE CLOTH OF GOLD. Leading characters by Mr. and Mrs. W. J. Florence. EXHIBITION OF CURIOSITIES. Open day and evening.

BOWERY THEATRE.
Bowery, near Canal-st.
MACBETH, JOCKO, BUTLER TROUPE, &c. By a powerful cast.

THE TAMMANY.
14th-st., near 3d-av.
GRAND COMBINATION OF MUSIC, PLAYS, PANTOMIMES, ACROBATIC FEATS, &c.

NEW-YORK CIRCUS.
14th-st., opposite Academy of Music.
EQUESTRIAN AND GYMNASTIC PERFORMANCES.

SAN FRANCISCO MINSTRELS.
No. 585 Broadway.
SHAKESPEREAN FESTIVAL, (Burlesque.) NEGRO COMICALITIES, &c.

BRYANTS' MINSTREL HALL.
14th-st., near 3d-av.
MUCH ADO ABOUT NOTHING, (Burlesque.) VOCALISTS, HUMORISTS, &c.

TABLE OF CONTENTS.

Page 1—Concerning Crime; An Underground Railway. Page 2—Affairs in Spain; Affairs in Peru; Affairs in Georgia; Texas and the Texans; South Carolina; The New Indiana Senator; Alexander H. Stephens; Homicide in Pittsburg, &c. Page 3—Washington Dispatches and Congressional Report. Page 4—Diplomatic Correspondence; The Gamble Case; Terrible Tragedy; The Newsboys' Lodging-house. Page 5—Assistant Aldermen; Fruit-growers' Club, and other local reports. Page 6—Editorials and Minor Topics. Page 7—Telegrams; Albany Letter and Legislative Proceedings. Page 8—Law Reports. Page 10—Congressional Reports Continued; Local News. Page 11—Letters to the Editor; Temperance; Conviction of a Prize Fighter; A College Burned; Miscellaneous Matters. Page 12—Dr. Holmes' Lecture on Doctors.

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To Advertisers.

Advertisers in the TIMES are requested to bring in their notices at as early an hour in the day as possible. If received after 8½ o'clock, it will be impossible to classify them under their proper heads.

NEWS OF THE DAY.

EUROPE.

The Spanish Constitutional Cortes assembled yesterday at Madrid. Great interest in its deliberations are manifested throughout the country. It is rumored that a majority of its members are in favor of tendering the crown to FERDINAND, father of the King of Portugal, and that in the event of his refusing it, the Duke DE MONTPENSIER will be asked to wear it. The Carlists are very active in several districts, and twenty-eight who attempted to cross the border from France were arrested by French troops.

REVERDY JOHNSON dined with the Corporation of Glasgow yesterday. He also made a speech. In the course of his remarks he quoted Earl RUSSELL as having said that the escape of the *Alabama* from a British port was due to the fact that the then law officer to the Crown was seized with insanity just at that time.

CONGRESS.

Mr. DAVIS introduced a resolution to the Senate yesterday reciting that the conduct of Mr. BUTLER and other Representatives who acted with him in the House on the previous day, while the electoral vote was being counted, was an insult to the Senate and the people of the United States, and disreputable to the persons mentioned. At the instance of Mr. FERRY the resolution goes over. The Currency bill was then taken up and discussed at great length by Messrs. CONKLING, MORRILL and CORBETT. The bill to secure equal rights in the District of Columbia, by striking the word "white" from the city charters of Washington and Georgetown, was taken up and passed. It has been passed twice before, but never obtained the President's signature. A bill appropriating $6,000 for the relief of Mrs. C. F. HART, whose husband invented a gun-screw which the Government has used without paying for, was passed. The Senate then held a brief Executive session for the consideration of some Indian matters, and took a recess till evening. The River and Harbor Appropriation bill was discussed and variously amended at the evening session, but was not definitely acted upon.

The Speaker announced that the first business in order was the consideration of the question of privilege submitted by Mr. BUTLER on the previous day, which was the resolution protesting against the action of the Senate in counting the electoral vote of Georgia in the Joint Convention of the two Houses. The Speaker appointed Mr. DAWES Speaker *pro tem.*, who, on taking the chair, appointed Messrs. WILSON and PRUYN a committee on behalf of the House to notify the President and Vice-President elect of their election. Mr. SHELLABARGER then spoke at length in opposition to Mr. BUTLER's resolution. Mr. ELDRIDGE spoke on the same side of the question. Mr. BINGHAM held that the President of the Senate was bound to count the vote of Georgia in the manner prescribed by the joint resolution adopted by both Houses, and that consequently Mr. BUTLER was wrong from the beginning of the controversy. He denounced the resolution in vigorous terms as revolutionary and disgraceful. Mr. SCHENCK defended Mr. BUTLER, and in the course of his remarks reflected upon the action of Mr. COLFAX in directing the Sergeant-at-Arms to arrest refractory members. Mr. COLFAX replied in a spirited manner, defending his course. Mr. BUTLER replied to the attacks made upon him, and made a lengthy argument in support of his resolution. This he offered to modify so as simply to protest against the action of the Senate, but no vote on the question was reached. The debate occupied the entire day, and will be resumed this morning.

GENERAL.

Two of the leaders of the insurrection in Cuba are said to have been, until very recently, officers of the United States Government. They are brothers, named ADOLF and FREDERICK CAVADA. The former was Colonel of a Philadelphia regiment of zouaves during the war, and latterly Vice-Consul at Cienfuegos, from which position he was removed at the instance of Captain-General LERSUNDI. His brother, FREDERICK, was our Consul at Trinidad, but recently resigned his position to join the insurrection.

Under instructions from the United States Attorney-General, a *nolle prosequi* has been entered, at Richmond, in the cases of JEFFERSON DAVIS and thirty-eight other persons indicted for treason. Among these persons are WILLIAM SMITH SEDDEN, BRECKINRIDGE, LONGSTREET, EARLY, EWELL and FAULKNER. The securities of DAVIS are released from their bond. This action is the result of the last proclamation of amnesty.

The message of JUAREZ to the Mexican Congress congratulates that body on the celebration of the late treaty relating to the claims of Mexican and American citizens; on the concessions granted to the Mexico and Vera Cruz Railroad; on the increased individual security of men; on the law which relates to the free exportation of minerals; on that relating to public instruction, and on the one providing for the institution of military juries. It refers also to the general peace existing throughout the country, and regrets the revolution in Tamaulipas has not been suffocated, but thinks that an increase of the federal forces now in operation against the revolutionists in that State, would cause the prompt suppression of the uprising. Congress adjourned Jan. 31.

The United States steamer *Delaware*, which was sunk in 1861 by the side of the United States man-of-war *Columbus*, in the southern branch of the Elizabeth River, near Norfolk, is now being sheathed, preparatory to being raised.

Brig.-Gen. SAMPSON, of the Second Division of the Eighth Brigade of N. Y. S. N. G., died suddenly, at Rondout, N. Y., on Wednesday, from an abscess in the back.

WHALEN, the murderer of Hon. D'ARCY MCGEE, was hanged yesterday at Ottawa, Canada. A large number of persons witnessed the execution. He did not make a speech from the gallows, as it was reported he would do, but it is stated that he left a communication with the Sheriff regarding the crime for which he suffered.

The purser of the steamship *San Francisco*, which reached this port from Sisal, Vera Cruz and Havana yesterday, has our thanks for favors.

The obsequies of JAMES T. BRADY took place at St. Patrick's Cathedral yesterday. An immense congregation was present. A solemn mass of requiem was offered up, and an eulogium pronounced on the eminent lawyer by Rev. Dr. MCGLYNN, of St. Stephen's, Twenty-eighth-street. The remains were interred in the family vault under the Cathedral.

JOHN J. ECKEL, recently convicted of defrauding the Government, was yesterday taken to the Albany Penitentiary, where his sentence is to be carried into effect.

Rev. HENRY WARD BEECHER delivered his lecture on "Rational Amusements," at Cooper Institute, last evening, before a very large audience.

In consequence of the funeral of JAMES T. BRADY yesterday, the Supreme Court, (except Chambers,) the Superior Court and Court of Common Pleas, in all their branches, were closed. The offices of each Court were open in conformity to law, but, for all practical purposes, might as well have been closed for the occasion also.

The sailors held a meeting last night at Botanic Hall. Certain men of standing have taken hold of the Association, and measures are to be taken to interest the public in it.

The Board of Assistant Aldermen yesterday appropriated $20,000 for the celebration of WASHINGTON's Birthday, and concurred in the resolution to send a Committee to Washington to obtain payment of moneys expended by the City during the war. The resolution to extend Park-place by widening Robinson-street was also concurred in.

An inquest was held yesterday over the remains of Mrs. MARGARET J. GAMBLE, who died at Clarkstown, N. Y., on Aug. 2 last, under circumstances that led to the belief that she had been poisoned. The inquest, which was merely formal, resulted in a verdict of death from unknown causes. The Coroner announced that he should give a certificate to this effect in order that the body may be interred.

Cotton was quiet and rather weak in price yesterday. Breadstuffs were held with more firmness on an improved demand. Provisions were inactive; hog products were depressed. Groceries were more sought after; sugars were dearer. Freights were dull and rates lower.

Counting the Electoral Votes—What Congress Has to Do With it.

It cannot be denied that the question raised by Gen. BUTLER, in the House, on Wednesday, is one of a good deal of importance, though it is equally clear that the time and the manner of his raising it were both unfortunate. The Constitution provides that the electoral votes of the several States for President and Vice-President shall be opened and counted by the President of the Senate, *in presence of the Senate and House of Representatives*; but it makes no provision whatever for the organization, proceedings or control of the assembly created by the meeting of the Senate and House. How questions of order or of law, or of practical action that may arise in that meeting shall be entertained or decided, is not prescribed. Indeed, there is no provision whatever for *any* organization. The meeting is not even styled a Convention, nor is it presumed, so far as appears, that it shall have any power whatever, or even any independent existence, as a separate assembly.

The Constitution prescribes that certain acts wholly ministerial in their nature, shall be done by a certain person, the President of the Senate,—in the *presence* of certain other persons,—the Senate and House of Representatives. That is all.

But the usage has been for these two bodies to regard their meeting in each other's presence as a separate assembly,—as a Convention independent in form of either of the two Houses which compose it,—and to make certain rules for the control of its proceedings, these rules being made by concurrent action of the two Houses of Congress, but in the form of joint resolutions, not of laws. One such rule was adopted by joint action, known as the twenty-second joint rule, on the 6th of February, 1865, when it became evident for the first time that the question might arise whether the vote of some one State, should, or should not, be counted. That rule provided that whenever such question should arise the two Houses should retire, each to its own chamber, and decide the question without debate. The concurrence of the two would of course be requisite to the validity of a decision; it was to be decided, however, simply by the action of the two Houses,—not by a law to which the Executive assent should be essential. This rule proceeded on the theory that the meeting of the two Houses to witness the counting of the votes, was not such an independent assembly as would constitute a Convention, capable of making its own rules and controlled by a majority of its own members,—but that each House preserved its right of separate and independent action, and that, by such independent action of the two Houses only, could rules be adopted for the regulation and control of its proceedings.

But when it became evident, as it did a few days since, that there would be a difference of opinion as to counting the vote of Georgia, the two Houses of Congress adopted a joint resolution prescribing exactly what should be done with the vote of Georgia,—requiring that it should be counted, and that it should be reported by the President of the Senate in one form if it did, and in another if it did not, affect the general result.

During the process of examining and declaring the votes of the several States, Gen. BUTLER objected to the vote of Georgia being received or declared, and made several propositions and points of order which the President of the Senate, "sitting in presence of the House of Representatives," refused to entertain. The two Houses then retired, each to its own chamber, and in accordance with the twenty-second joint rule, proceeded to vote on the question raised by Gen. BUTLER, whether the vote of Georgia should or should not be declared, ignoring the joint resolution previously adopted by the two Houses on that very point. The House decided, 150 to 41, that the vote of Georgia should *not* be counted; the Senate decided that it should be counted in the form prescribed by the joint resolution. When the Senate again came into "the presence of" the House, the examination of the certificates and the declaration of the votes were resumed and completed, in strict compliance with the form prescribed by the joint resolution, and of course in accordance with the decision of the Senate.

When the House resumed its independent sitting, Gen. BUTLER offered a resolution "that the House protest that the counting of the vote of Georgia by the order of the Vice-President *pro tem.* was a gross act of oppression and an invasion of the rights and privileges of the House," and in the debate on this he developed his theory of the joint meeting which had just dissolved. He held that it was a Convention, of which the President of the Senate was Chairman, to be governed by its action and subject in all things to its decisions. He was bound to entertain points of order and appeals when made from his rulings upon them. Gen. BUTLER did not distinctly claim,—though he seemed at one time inclined to do so,—that the two Houses in joint meeting might decide all questions that should arise by a majority of all the votes, which, as he justly said, would swamp the Senate altogether; but it is not easy to see precisely how he can maintain his theory of the character of the assembly without also asserting its right to decide such questions by a majority vote.

But Gen. BUTLER objected mainly to the *power of the Vice-President*, as exercised by Mr. WADE, and as sustained by the Senate against the House of Representatives. He put in a very strong light the wrong that might be done by an officer disposed to do it, under the precedent established in the present case:

> "Suppose," he said, "that the Vice-President had seen fit to declare that HORATIO SEYMOUR had been elected President; or suppose the Senate had gone to its Chamber and had declared, after the votes of New-York and New-Jersey had been counted, that no more States should be counted, and having decided that, had ordered its President to take the stand with the gavel in his hand and pound down everybody else until he had declared HORATIO SEYMOUR President of the United States; what would have been the remedy? From this moment, and under this precedent, unless the House asserts its privileges, from this moment, I say your liberties and the liberties of the country are gone, and fall in the hands of an executive body known as the Senate of the United States."

This presentation of the possible evils that may result from the power given to the Vice-President and to the Senate in this matter is very striking, and is entitled to weight. But Gen. BUTLER is really objecting to the provision of *the Constitution*, rather than the joint resolution of the two Houses of Congress in this matter. He declares that resolution to be, in his judgment, utterly "unparliamentary and unconstitutional," and of no more value than the paper on which it was written. Possibly;—but *why?* On what other ground can he base this opinion of a joint resolution of the two Houses, except on the ground that it conflicts with the Constitution? But he will find that the Constitution is still more explicit in conferring *all the power* to be exercised over the electoral votes by any body upon the President of the Senate. It creates no Convention,—no joint meeting of the two Houses to be organized presided over and guided in its action by its presiding officer, or by rules of its own adoption. It prescribes merely that "the President of the Senate" [in that character, and not as President of the Joint Convention,] "shall, in the presence of the Senate and House of Representatives, open all the certificates" [received from the electors of the respective States] "and the votes shall then be counted,"—whether by the President of the Senate or somebody else, it is not provided. No authority is given to the "President of the Senate" to decide or entertain in any way, questions of order or any other questions that may arise in the joint meeting of the two Houses. He is there, at that meeting, not *as its* presiding officer, but only in his capacity as *President of the Senate* and for the performance of a single specific duty, namely, to open the certificates of the electoral votes. But there is nothing whatever in the Constitution to indicate that the House of Representatives has anything to do with the proceedings; that body is required to be present merely as a witness of what is done by the President of the Senate. It is very clear that in the view of the Constitution, the office of the President of the Senate in this matter is purely ministerial, and that the whole proceeding is for the exclusive purpose of ascertaining certain facts, of *inspecting certain records of what has been done elsewhere*,—and no provision whatever is made for settling questions that may possibly arise in so simple a process. It was evidently never supposed that a time would ever arrive when the question whether the vote of a State should, or should not, be counted, could possibly arise; and no provision was therefore made for deciding it.

But the question *has* arisen, and of course it may arise again; and it is scarcely safe to say that it may not bring with it all the consequences predicted by Gen. BUTLER. A Senate may declare that no votes of States, known to have voted against the Senate's choice, shall be counted, and the President of the Senate may refuse to count them. But it is scarcely safe to predict that Congress or the Government would be powerless to avert the ruinous consequences of such an act. It is generally considered the part of practical wisdom not to spend time or thought in fighting imaginary, or only apprehended, difficulties and dangers. Mr. LINCOLN expressed the common sense of the English and American mind when he said, that it is not worth while to worry about a bridge until we come to the stream. Our people and our Congress have been content, as a general thing, to contend with difficulties when they arise, and not before. It was doubtless this feeling which dictated the joint resolution in the case of Georgia. If it had been found that the vote of Georgia *would* affect the result of the election, we should have had a very different state of things, and very different action on the part of Congress.

But Gen. BUTLER's movement, as against the Senate, is by no means without significance. It indicates a *growing impatience of the pretensions of the Senate to supreme control in the Government.* These pretensions are shown in its claims to executive power, to control over appointments and removals of all executive officers, to initiate as well as ratify treaties, to the entire direction of all matters involving our relations with foreign Powers, and to the primary and paramount authority in all affairs of domestic legislation. Senator SUMNER, we believe, has said in so many words that *the Senate is the Government;* and that body seems by its action inclined to make the declaration good. Gen. BUTLER is disposed to resist these pretensions, and the House has thus far given reason to believe that it will stand by him in so doing. It voted by a very large majority to repeal the Tenure-of-Office bill, and again on Wednesday it voted, in face of the joint resolution and of the Senate, that the vote of Georgia should not be counted. The Senate will be wise enough, we hope, to avoid such a controversy by abating something of the pretensions out of which it seems likely to grow.

Congress and the Supreme Court.

The disposition of Congress to invade the domain of the Supreme Court manifested itself during the progress of reconstruction. An apprehension of judicial interference with the operation of the Reconstruction acts led to the introduction of measures designed to affect the action of the Court; and the debates on these occasions, in both Senate and House, developed the aversion of the extreme Republicans to its authority in matters affecting the relation of the General Government to the States. The feeling did not result in positive interference with the judicial function, as bearing upon the constitutionality of reconstruction, but the positions assumed by ultra Senators and members indicated a readiness to make Congress the sole judge of the constitutionality of its action in the controversy then pending.

An incidental allusion to the debate on the proposed suffrage amendment elicited from Mr. DRAKE a declaration which shows how far he at least is prepared to push the pretensions of the legislative body. In reply to a remark affecting the probable effect of a decision adverse to the constitutionality of reconstruction, the Missouri Senator is reported to have "denied that the Supreme Court had a constitutional right, under any circumstances, to pronounce *any* act of Congress unconstitutional."

> MR. WHYTE, (Democrat) of Maryland, asked him whether, if the Supreme Court should decide the Legal-tender act to be unconstitutional, the decision ought to be respected?
>
> MR. DRAKE replied—Not at all. He would be found standing to his position, and both *Houses of Congress would have to come to that position at last, or else sweep from the bench of the Supreme Court the men who dared to attempt to cripple, by their judicial decisions, the law-making power of the country.*

We do not find that this extraordinary assertion received the indorsement of any other Senator; but, on the other hand, not one repudiated it, or exposed the revolutionary tendency which it displays. It is not probable that Mr. DRAKE's view would at present receive the sanction even of his fellow extremists, but his avowal is worthy of remembrance as an indication of the drift of things in the quarter where violent measures are most in vogue.

The time may come when the law-making power shall be absolute—when the Executive shall be reduced to the rank of a subordinate officer, and when the Supreme Court shall cease to sit in judgment upon the constitutional phases of legislation. When this point is reached, Congress will be politically omnipotent, and the only Constitution will be its will. But the road is not so smooth nor the end so near as Mr. DRAKE supposes. He evidently labors under the delusion that the extraordinary powers possessed by the Government in the midst of revolution may be extended indefinitely; and that because the people sustained Congress against States in rebellion they will also sustain it against the Constitution. We believe that this is a slight mistake, and that none more clearly realizes the fact than the great body of the party with which Mr. DRAKE professes to act. The refusal of Congress to legislate universal suffrage into all the States, and the reliance it places upon a constitutional amendment as the only means by which the object may be attained, are circumstances which prove that Republicans have not yet abandoned the Constitution as a dead letter. While that instrument continues in force the Supreme Court will exercise its functions, whether the Legal-tender act be shaken or sustained by its decision.

The Smedick Murder—Justice and Juries—Our Professional Criminals.

The astounding feature in the trial of REAL for the murder of Officer SMEDICK, was the "recommendation to mercy" which the jury coupled to its verdict of guilty.

If such deliberate murder as the shooting down of SMEDICK be ground for "recommending to mercy," pray let us know for what sort of murders is *justice* reserved? Never, probably, was a more flagrant case of willful and cold-blooded assassination recorded; never, certainly, was evidence of it more direct and damning. This the jury recognized by their prompt verdict of guilty; and, indeed, the defence took refuge mainly in the plea that REAL had once been beaten by SMEDICK, and feared that he was *going* to be beaten again at the time he killed his victim.

But it was proved, on the contrary, by unimpeached witnesses, that the ruffian hid behind a coal-box on the officer's beat, lay in wait for him, pistol in hand, shot him down from that ambush, and then, rushing out, finished him with another ball. REAL himself, when arrested, voluntarily declared at the station that "he had shot SMEDICK," that he had "put three balls in him, and if he didn't kill him it wasn't his fault."

Nor was he content with this open avowal of the murder; he went on to declare that he committed it intentionally, deliberately, with a distinct determination to do it, formed long before and nursed for days. He avowed that he killed the officer from motives of revenge, because he had arrested him and had threatened, and was likely to do it again. He "had had satisfaction," he said, and he didn't care what became of himself. We never heard of an assassination committed in colder blood, or more distinctly with malice aforethought, than this.

Why then was this confessed murderer—this avowed assassin, who gloried in his act of murder and proclaimed *revenge* to have been his only motive,—why was this man "recommended to mercy" by the jury? What was there about him, or his offence, to lead the jury to such a recommendation? It was not previous good character; for he was one of the most notorious and reckless ruffians in the City. His murder was not an act of sudden passion,—not of constructive insanity, "temporary" or otherwise; but plotted in cold blood,—deliberately followed up and perpetrated in the most remorseless manner.

REAL belonged to a large gang of notorious roughs and ruffians,—a detachment of the great army of scoundrels who follow crime of all sorts, as other men follow trades, for a living, and for the gratification of their natural instincts and appetites, who have come to regard themselves as having *rights* and immunities with which neither the law nor its officers must be allowed to interfere, and who combine to resist, resent and punish such interference. In murdering a Police officer, REAL had not only taken revenge for his own wrongs, but he had acted as the champion of this gang to which he belonged; and they repaid his service by mustering for his defence. They thronged the Court-room on his trial; they were present to overawe the Judge and the officers of the law; it was announced by Judge BARNARD, before the case opened, that "some of the witnesses for the prosecution had received notice that, if they testified in this case, they would be assassinated before leaving the building;" and individual members of the jury were followed and threatened with a similar fate if they did not acquit the prisoner. A Police force of about 200 was required to protect the Court-house, and prevent a forcible attempt of these scoundrels to break up the Court and rescue the murderer.

It is gratifying to be able to state that in spite of all these demonstrations, and in spite of the enforced recommendation to mercy by the jury, Judge BARNARD promptly sentenced the assassin to be hung on the 2d of April next. The delay is somewhat longer than either justice or the public good require; but if the sentence shall be even then carried into execution, we shall have the satisfaction of knowing that there is one desperate scoundrel less among us, and the class of professional thieves, assassins and ruffians may possibly be disabused of the idea that they are wholly above the law and are absolutely masters of the situation. They certainly need such a lesson very much.

The Debate on Counting the Electoral Votes.

The clearness and accuracy with which the President of the Senate ruled the points of order raised by Gen. BUTLER, on Wednesday, must have inspired in the mind of that belligerent statesman fresh regrets at the failure of his favorite project of impeachment. Its success would have made Mr. WADE President of the United States *pro tem.*, and the whole country would, in that case, have had the benefit of the brilliant intelligence, and peremptory energy, which are now confined within narrower limits. Gen. BUTLER, however, we observe, did not express anew the regrets he must have felt over the failure of impeachment, in the debate on Wednesday. Possibly time, aided by Mr. WADE's action on that day, may have somewhat abated those regrets and assuaged the poignant grief in which the General has more than once indulged on that subject heretofore.

We fail to see in the occurrences attending the counting of the electoral votes any such national disgrace or infamy as the Press has been quick to detect, or any occasion for the resolution of censure introduced in the Senate by GARRETT DAVIS. It is to be regretted that any difference of opinion should have arisen; it is always more agreeable to have everything, in such ceremonies, go off smoothly. But it could scarcely be expected that Gen. BUTLER would submit in silence to such peremptory rebuffs as Mr. WADE administered to him, or that he would fail to pay him off in full on the first opportunity. In the issue which he raised with the Senate, on behalf of the House, he evidently had the sympathies of the body to which he belonged.

The debate on his resolution was renewed yesterday, and Mr. SHELLABARGER, with his usual clearness and precision, showed that the Vice-President acted in strict accordance with the Constitution, however much his action may have shocked Gen. BUTLER's ideas of the respective rights and prerogatives of the two Houses of Congress. Mr. SHELLABARGER holds the doctrine we have set forth more fully in another article, that the Constitution confers all the power over the counting of the electoral votes which it confers on anybody, on the President of the Senate; and that *neither the Senate nor the House has anything whatever to do with the matter, except to be in his "presence,"* so as to be witnesses of his action, in opening the certificates and counting the votes. This doctrine may be very hostile to the liberties of the country, as Gen. BUTLER says it is; but it is the doctrine of the Constitution nevertheless.

The discussion will do good, rather than harm. It will tend to clear up a point of some interest and importance, to which public attention has hitherto been but little directed.

The Status of Georgia.

The position conceded to Georgia in the counting of the electoral vote for President, seems to determine the question until now in dispute in regard to that State. The fact that its vote was received and recognized, disposes of doubts as to its title to Congressional representation. A State which may vote for the President must be in the Union; and, being in the Union, it has a right to representation in the Senate and the House.

The joint resolution by which Senator EDMUNDS hoped to escape the difficulty really amounted to nothing. There was not even ingenuity in the declaration that the Georgia vote should be counted if the result were not thereby affected, but excluded if the effect were otherwise. Its terms admitted of no other interpretation. Expounding them officially, the President of the Senate said that their purport was, "that if the votes of the State of Georgia did not alter the result of the election they might be counted, and if they did alter the result, they were not to be counted." But the artifice is too puerile to serve the purpose for which it was intended. For the right of a State is not contingent upon the political complexion of its vote. Whether it might elect GRANT or whether it might defeat him, had nothing to do with the point to be decided. That was a simple yes or nay on the question of admitting or excluding the vote. And when an affirmative decision was rendered, as it was on Wednesday, the *status* of Georgia was practically settled.

The acceptance of the vote is an unconditional recognition of the power to vote. No special pleading based upon the Edmunds joint resolution or on any other ground, can at all modify the essential fact. The joint action of the two Houses in receiving the vote admits of no appeal. It is positive and conclusive as well as to the legal regularity of the vote as to the authority of the State to give it. There is no middle ground in the premises. That State cannot be out of the Union, or as a State subject to Constitutional penalties, whose voice for SEYMOUR and BLAIR was formally listened to by the President of the Senate in the presence of both Houses.

The result is especially noteworthy, because directly occasioned by the Senate, which has thus far refused admission to the Georgia Senators. Had Gen. BUTLER's objections prevailed, we should have said that exclusion from the Electoral College in this case implied exclusion from the Union. But these objections having been overruled —arbitrarily and irregularly, we must admit, but still overruled—the theory of the Senate Judiciary Committee is exploded, and the unwillingness to admit Mr. HILL ceases to be excusable. We do not look for absolute consistency in these matters, but when an important constitutional principle is at stake, we must assume that the Senate will adhere to the logical consequences of its own proceeding. After declaring that the votes of Georgia should be received, it cannot, without self-stultification, deny the right of the State to Senatorial representation.

The Erie Railroad Suits.

We published in the TIMES of yesterday Judge CARDOZO's decision in the Erie Railway case,—vacating the previous order of Judge SUTHERLAND by which the illegal action of the directors of the Erie Railroad was restrained and Ex-Judge DAVIES appointed receiver of the road. The opinion was very long and elaborate and had the effect, of course, of denying the relief for which BELMONT and others had applied to the Court against the wrongful and injurious acts of the directors of the road.

Mr. BELMONT, however, has commenced a fresh suit in the United States Court, which will subject this whole matter to a decision in that tribunal.

MINOR TOPICS.

Some of the newspapers are doing very great mischief by persistently asserting that races are got up between ocean steamers by their owners or captains, and that they have large sums of money staked on the result. The fact that both owners and captains deny these assertions in the most explicit and peremptory manner seems to make not the slightest difference. The newspapers ignore all this, and reiterate their statements over and over again as if their truth had been established. The public is thus kept in a state of anxiety and alarm about the safety of friends who have embarked, and discredit is thrown upon all the managers of the various lines of ocean steamers. The newspapers gain by their reckless assertions nothing but the cheap satisfaction of having created a short-lived sensation,—which apparently is all they want.

Recorder HACKETT performed another good day's work yesterday among the burglars—sending another batch of them promptly to the State Prison for long terms. There can certainly be no doubt of the sincerity of Recorder HACKETT's efforts to repress crime, so far as the terrors of the law will act in that direction. He now expresses the determination to carry on the work at any cost and against every adverse influence.

An evening paper says there is reason to believe that the whole matter of City locomotion will speedily be solved, inasmuch as somebody has invented a method of using steam as a propelling power on city railroads, and that it is to be tested in Williamsburg. We do not derive any great consolation from this fact. The thing to be done is to get our railroad managers to adopt such a mode of propulsion, and to induce our Common Council to permit it to be used. When *that* is discovered and put in practice we, too, shall have hope that the whole problem will be solved,—but not before.

It is scarcely necessary to call the reader's attention to the carefully prepared article on crime in New-York, printed on the first page of the TIMES this morning. The facts presented speak for themselves. The frequency, impunity and increase of offences against life and property in this City, the remissness of the Police, the shameless partiality of the magistracy, and the general inefficiency of our whole system for the prevention, detection and punishment of crime, are matters that deserve the thoughtful attention of every citizen.

BUTLER has succeeded in raising another storm in both branches of Congress. See the proceedings of yesterday, in addition to those of Wednesday. He will doubtless find encouragement from the resolution of censure which Senator GARRETT DAVIS yesterday introduced to the Senate.

Some of the book-printers on a strike have taken our advice about starting a coöperative printing establishment; and they are to hold a meeting to-night to admit shareholders. It is important that the business of organization should be done properly. We have heard of some features in the present scheme which we fear are not favorable to its success. The proper way would be to organize it on the same plan and principles as govern the coöperative printing company already in existence,—which is a success.

In another part of this morning's paper our London correspondent gives a full, clear and interesting account, from personal observation, of the operation of the Underground Railroad in London. It will repay careful perusal, as it throws light on the improvements of a similar kind projected for our own City. Just at present, however, the Elevated Railway offers the most hopeful prospects of success and adoption.

WHALEN, the Fenian murderer of D'ARCY MCGEE, was executed yesterday at Ottawa, Canada. His last words were, "God save Ireland! God save my soul!"

Everything seems to show that our law Courts cannot cope with the growth of crime in our cities—at least on the present system of action—and that some supplemental influence must be brought to bear on the difficulty. Malefactors should not be allowed to swarm together in a festering mass. They should be scattered—the worst sent to some distant and penal settlement, for life, and the reclaimable helped into some way of retrieving themselves and benefiting society. As it is, and in the natural growth of population in this land of rough, irrepressible freedom, New-York would, in a decade or so, require an army of 10,000 men, cavalry, infantry and marines, to make a show of saving people from one another. Our *shystering* law-work and its jugglery must give way to something more peremptory and more simply just to society at large.

It is said that the reason the jury recommended the murderer REAL to the leniency of the Court, was because of the intimidation that had been exercised against them by the audacious gang of ruffians who are the murderer's companions. Really, the criminals are attempting to carry things with a high hand in this City. But what is to be thought of a jury who can thus be intimidated?

It does not tend to increase the confidence of the public in the efficiency of the Police to find that members of the force will use their own discretion, at times, in the matter of giving or withholding important evidence. On the trial of REAL for the murder of SMEDICK, it appeared that Officer LAMBERT kept back, at the time of the Coroner's inquest, a piece of testimony which told with most effect against the prisoner. The impropriety of this must have been evident to every one; and such exercise of individual judgment should be discountenanced as much as possible in an institution so important to society as that of the Police.

Mr. MCALPINE, in his lecture on Modern Engineering the other evening, informed his audience, as an instance of the progress of modern engineering, that the express locomotives on the "Paris and Dover Railway" have twelve wheels, and "weigh upward of sixty tons." We have never traveled on the "Paris and Dover" Railroad, but this statement regarding its engines is important, if true.

Everybody who has visited Havana has seen the immense and palatial residence of Señor ALDAMA—a man who, though one of the wealthiest of Cuban nabobs, has long been known for his liberal political principles. We have lately had a mention of the assassination of his daughter, Senorita ALDAMA, at the theatre; but the Havana correspondent of the New-Orleans *Times* gives a different account of the affair from that already published. It appears that, at the period of the recent political outbreak, the young lady was one evening present in the theatre, seated in her father's box, when the Cuban revolutionary song happened to be sung; and the audience, seeing on her left breast the American colors, with the inscription, "Long live the Republic of Cuba," sprang to their feet and cheered her enthusiastically. As she rose to acknowledge the salute, she was shot with a revolver and instantly killed—the deed being done by a Spaniard in the audience, who, in turn, was instantly shot by an American who occupied the box adjoining Senorita ALDAMA. Instantly, the whole theatre was the scene of the greatest confusion, and the Spanish troops rushed in and commenced firing upon the masses present, as described in letters we have already published. We suppose that when the time comes that Cuba shall be liberated from Spanish domination, (and it must be liberated some time,) the name and figure of Senorita ALDAMA will shine out lustrously and beautifully, and she will pass into the history and traditions of a liberated country, to be worshiped forever as a heroine and martyr.

Yesterday's cable informed us of two interesting points in English politics. The first, that the Conservatives are preparing for a vigorous opposition in Parliament—which is a matter of course if they are still alive, as they indubitably are. The second, that Mr. GLADSTONE proposes to abolish the University tests. This is indeed a fine "leap ahead," in good earnest. If Mr. GLADSTONE can successfully associate his name with the release of the English State from Church-craft, and the English Church from State-craft by the now famous Disestablishment movement, and with the opening of England's glorious halls of learning to her people without invidious distinction of religious formality in creed, he will have done enough, despite his vacillations and weaknesses, to earn and to hold the hearty admiration of posterity.

The stimulating effects of repression, not to say oppression, are well shown in the French Empire, where notwithstanding—perhaps, indeed, on account of—the extraordinary obstructive policy of the Government in reference to the Press, no less than 120 new journals were started during the past year. Of these, thirty-three were of the style and general spirit the *La Lanterne*. History writes its own best commentaries.

A periodical outcry arises among the papers about the imbecility of supplying the Indians with firearms, whenever we make a treaty with them, thus giving them the most efficient means of breaking the treaty at their convenience. True, this is one specimen of the bad management of the Interior Department, but practically it makes little difference. At the Phil. Kearney massacre the Indians killed eighty-two men and officers in less than an hour, and only two were killed by bullets. The bow and arrow is quite as deadly at a distance of eighty yards as firearms. The way to make Indians keep treaties is to give them in charge of the army boys

TELEGRAMS.

SPAIN.

Meeting of the Constitutional Cortes—Movements of the Carlists.

MADRID, Thursday, Feb. 11.

The greatest interest is felt in the proceedings of the Constituent Cortes, the sessions of which commence here to-day. Rivero will certainly be chosen President. A majority of the members favor Ferdinand, father of the reigning King of Portugal, as the future ruler of Spain. Should he refuse the Duke of Montpensier will probably be chosen.

The movements of the Carlists in Guipuscoa, Biscay and Alava (commonly known as the Basque Provinces) are quite active. The French Government is watching the frontier closely.

Ten thousand troops are to sail immediately for Cuba.

PARIS, Thursday, Feb. 11.

Twenty-eight Carlists, who were attempting to cross the frontier yesterday, were arrested by a body of the French Corps of Observation and sent to Bayonne.

LISBON, Thursday, Feb. 11.

The United States steamer Richmond arrived here to-day on her way to join the European Squadron. All on board are well.

GREAT BRITAIN.

Reverdy Johnson and the Alabama Treaty—Banquet to the Ministry.

LONDON, Thursday, Feb. 11.

Reverdy Johnson was the guest of the Corporation of Glasgow at dinner yesterday. After the usual toasts Mr. Johnson made a speech, in the course of which he defended the treaty recently made for the settlement of the *Alabama* claims. He regarded this treaty as one settling the points at issue and preventing further trouble in future. He quoted from Earl Russell as saying that the escape of the *Alabama* from a British port was due to the inanity of the law officer of the Crown.

The House of Lords met to-day, but, without business of importance, adjourned until the 18th inst.

LONDON, Thursday, Feb. 11—Midnight.

A banquet was given to the Ministry this evening, at Fishmongers' Hall. Mr. Gladstone made a speech. He reviewed the progress already made in carrying into effect the resolves for the disestablishment of the Irish Church, and declared his intention of proceeding speedily and prudently, encouraged by constitutional knowledge, by the character of the Queen, who associates herself with the interests and affections of the people, by the character and ability of his colleagues, by the favorable judgment of the country and by the justice of the cause.

Mr. Bright also addressed the company. He condemned the profuse expenditures of past years, and urged the necessity on the part of the House of Commons of being more positive and decided on the question of economy.

GREECE.

The Chambers to Meet Immediately.

ATHENS, Thursday, Feb. 11.

The Chambers have been convoked by the new Ministry, and will meet within a few days.

PORTUGAL.

The Iberian Union Project Revived.

LISBON, Thursday, Feb. 11.

A dispatch from Lisbon mentions that the project for an Iberian Union is again renewed.

CUBA.

Two American Officers Become Insurrectionary Leaders.

HAVANA, Thursday, Feb. 11.

It is reported that the leaders of the revolution in the sugar districts of Cienfuegos, Villa Clara and Trinidad are Adolfo Cavada and his brother, Frederick Cavada. The former was recently American Vice-Consul at Cienfuegos, and was removed at the request of Captain-General Lersundi. He was Colonel of a Philadelphia regiment of Zouaves during the civil war in America. The latter was until last week the American Consul at Trinidad de Cuba, and has just resigned.

Telegraphic communication between Havana and Sagua-la-Grande, and Villa Clara, which had been destroyed by the revolutionists, has been restored.

HAVANA, Thursday, Feb. 11—Evening.

Arrests continue to be frequently made by the military and the Police of suspected parties in the city and throughout the island. Among the prisoners are many well-known planters, merchants and lawyers. The English Consul at Cardenas is also among those arrested.

The *Prensa* says that at present Jiminez, Planita and Cassanova are the only rebel leaders in the Central Department. None of the other chiefs with their men have appeared. The number of the rebel forces at Camarones is supposed to be three thousand.

The meeting of the merchants at the Palace last night to raise funds for the Government had no decisive result. A mixed commission of merchants and planters was appointed with instructions to report a feasible plan for supplying the needs of the Government quickly and securely, without imposing additional burdens upon the middle or poorer classes.

The yacht *Henrietta* has arrived from New-York with Gen. Van Alen and his friends on board. Gen. Van Alen dined with Admiral Hoff to-day.

CANADA.

Execution at Ottawa of Whalen, the Murderer of D'Arcy McGee.

OTTAWA, Canada, Thursday, Feb. 11.

The morning opened dull, accompanied with drifting snow from the east. The country people began to arrive at an early hour, and set about securing good positions to see the scaffold and hear the last words of Whalen, who was to be there executed. Up to 9 o'clock A. M. there were about 300 people on the east side of the jail. By 10:30 o'clock the crowd had increased to 7,000 or 8,000, but all was quiet and orderly. At 10 o'clock the Prison physician reported Whalen in good nerve, and that no agitation or flurry was noticeable in him. A short time after the Sheriff announced that everything was in readiness for the execution. At 11 o'clock Whalen was pinioned, and, accompanied by the Sheriff and three priests, led from the prison, looking very pale and excited; but he moved along with a firm step and mounted the stairway to the scaffold, responding, as he walked, distinctly to the prayers of the priests. After the *Paternoster* had been repeated he said: "I beg pardon for any offence I may have committed. I forgive all parties who have injured me. I ask forgiveness from any one I may have injured. God save Ireland, and God save my soul!" The executioner then fitted on the white cap and drew it over his face, adjusted the rope, and in a few moments the drop fell, and Whalen hung by the neck for four minutes, suffering intensely, and then breathed no more. The execution took place at 11:15 o'clock A. M., precisely. It is rumored that Whalen left a written paper in the custody of the Sheriff, the purport of which has not yet been made public.

Appearance of the Indians at Fort McPherson.

ST. LOUIS, Thursday, Feb. 11.

The Indians again made their appearance on the south side of the Platte, near Fort McPherson. Two companies of troops were sent from Omaha last night in anticipation of serious disturbances, as the appearance of the Indians in that neighborhood is in violation of the treaty and indicates mischief.

The Cornell University—Meeting of the Directors.

ALBANY, N. Y., Thursday, Feb. 11.

A meeting of the Board of Directors of the Cornell University is now being held at Geological Hall, Hon. Ezra Cornell in the chair, and Hon. A. B. Weaver Secretary. Mr. Cornell read a statement relative to the condition and progress of the new building. The resources of the University amount to $70,772 per annum; the expenses for professors to $68,300 per annum.

Hon. Geo. W. Schuyler, Treasurer, read a report showing the receipts to be $166,009, and expenses $171,816. Hon. A. D. White, President of the University, presented his report, giving in detail the operations of the institution.

WOMAN SUFFRAGE.

Two Conventions of Women in Chicago in One Day—The Sorosis Divided.

CHICAGO, Thursday, Feb. 11.

The two Woman Suffrage Conventions commenced their sessions to-day. Some months since the Sorosis Society determined to hold a mass convention, and appointed committees, invited speakers, &c. Simultaneously slighted members of the same Society met and arranged also to hold a convention. Both accidentally chose as one of the days for the Convention, that on which Miss Anna Dickinson lectures, and both committees were anxious to secure her services. The Sorosis Division No. 1, aristocratic branch, met in Crosby's Music Hall, and Division No. 2 in the Library Hall, the latter meeting being the stronger. Mrs. Stanton and Miss Anthony countenanced it. At 11 A. M. No. 2 was called to order, and Rev. E. J. Goodspeed was elected Chairman *pro tem.*, and Mrs. Livermore vigorously stated the object of the meeting. Miss Anthony sketched the history of the movement, and rejoiced at the agitation and division of the Chicago Sorosis, as a proof that women were asserting their rights. The Northwest ought to demand, through the Convention, that Congress should include women in the new amendment of the Constitution. Mrs. Stanton always believed in woman's right to vote, the best way to develop a high manhood being to elevate woman.

Rev. Robert Collyer opened the afternoon session with prayer.

Mrs. Livermore, of Chicago, was elected permanent President. Prominent ministers, Judges and ladies were elected Vice-Presidents.

On motion of Judge Bradwell a committee was appointed to visit Springfield and urge the Illinois Legislature to pass laws protecting widows and orphans.

In the evening there was a rush to hear Mrs. Stanton, and an immense audience filled the Library Hall. This is probably the greatest woman's suffrage Convention ever held. At 8 o'clock Mrs. Stanton, being introduced, delivered an address, she has sent to Congress in support of a series of resolutions favoring woman suffrage. The reading of the address occupied nearly three quarters of and hour, and it was listened to with close attention. The discussion then took a rambling form, resulting in the adoption of the resolutions. The Convention will continue in session to-morrow.

It was nearly noon before the Sorosis No. 1 organized. Mr. W. Perkins, of Ottowa, Ill., was elected Chairman *pro tem.* Rev. R. Laird Collier regretted the split in the Sorosis. He favored neither female nor universal suffrage, but approved of all real human progress. Mrs. Willard, of Boston, said man's inventive genius had relieved woman of manual labor and given her a chance to become educated and time to attend to the government of society. The report of the Committee on Permanent Organization was adopted, electing Mr. Perkins President, and five Chicago ladies Vice-Presidents. Prof. Dewey complained of Rev. R. L. Collyer's lack of sympathy, and contended that suffrage ought to be universal. Mrs. Mills gave an historical sketch of the Chicago Sorosis, and explained the cause of the division. In the afternoon the Committee on Resolutions reported resolutions condemning Congress for proposing an amendment to the Constitution without extending the franchise to the woman; and declaring that a woman is a man's equal and cooperator, and should also be his equal in legislation and politics.

The evening session was very thinly attended and devoid of particular interest.

TENNESSEE.

Certificates to Congressmen—The Militia—Fire in Nashville.

KNOXVILLE, Tenn., Thursday, Feb. 11.

Gov. Brownlow issued a proclamation this morning, granting certificates of election to Lewis Tillman in the Fourth Congressional District, as against Sheafe, and to W. J. Smith, in the Eighth District, as against John W. Leftwich.

The Legislature yesterday voted to request the Governor to disband the militia now in the field, and it also defeated the Omnibus Railroad bill.

NASHVILLE, Tenn., Thursday, Feb. 11.

A fire occurred this forenoon, between 5 and 6 o'clock, at Franklin, in this State, and before it could be arrested property to the amount of $100,000 was destroyed. The fire originated in a dry-goods store and continued until the entire row of buildings, from the southwest corner of the Public-square to Harrison's, on West Main-street, was consumed. The fire was the work of a negro incendiary, who was shot down as he emerged from the store he had fired. Most of the property was insured, but the catastrophe nearly puts an end to the business of Franklin.

It is probable that the resolution adopted by the House requiring the Governor to disband the militia will meet the concurrence of the Senate, though strong efforts will be made to defeat it.

MEMPHIS, Tenn., Thursday, Feb. 11.

An affray occurred last night between two negroes, named Dobson and Snyder, in which the former, after being shot at by the latter, drew a carving knife and cut Snyder in a dreadful manner. Dobson fled.

Important Railroad Movement—A Through Route to Montreal.

RUTLAND, Thursday, Feb. 11.

The Lebanon Springs Railroad, just completed and soon to be put in operation, has been leased perpetually to the Bennington and Rutland Railroad, and the latter road has been purchased, and is now owned by Wm. Butler Duncan, of the firm of Duncan, Sherman & Co., of New-York; Oliver Charlick, President of the Long Island Railroad; L. W. Park, Gen. H. Henry Baxter, Samuel J. Tilden, Major A. A. Selover and others. The owners yesterday organized by electing a Board of Directors, consisting of Oliver Charlick, Wm. Butler Duncan, A. A. Selden, Samuel J. Tilden, of New-York; L. W. Park, John N. Baxter, Henry Blood, Carlton T. E. Stevens and E. J. Phillips, of Vermont. The Board elected Oliver Charlick, President, and L. W. Park, Vice-President. The Company have made arrangements with the Harlem Railroad for a close connection for a long term of years. Palace and sleeping cars are to be put on when the road is opened, and will be run from New-York to Montreal without change of cars.

Abandonment of the Prosecution Against Jeff. Davis and Other Rebels.

RICHMOND, Va., Thursday, Feb. 11.

In the United States District Court to-day, the District-Attorney, under instructions from the Attorney-General, in accordance with President Johnson's Amnesty Proclamation, entered a *nolle prosequi* in both indictments against Jefferson Davis, and in those against Lee, Wade Hampton, Breckinridge, Longstreet, Wise, Pryor, Seddon, Mahone, Early and thirty others. On motion of Robert Ould, the Court ordered that the securities on Davis' bail bond be discharged from further consideration.

The Illinois Legislature.

CHICAGO, Ill., Thursday, Feb. 11.

The Lake Park bill, which was passed in the Illinois Assembly yesterday, cedes to the City of Chicago a strip of land four hundred feet wide and half a mile long, east of Michigan-avenue, partially submerged by the lake. The proceeds of the sale or lease are to constitute a park fund for the city.

The land east of the Illinois Central Railroad track and breakwater, for one mile, all under water, is granted to that Company.

Gen. Fuller's second railroad bill is more objectionable than the one that was vetoed. It not only compels the Railroad Company to adopt a cheap uniform fare, but prevents their granting commutation or excursion half-fare tickets.

The Nebraska Legislature.

ST. LOUIS, Thursday, Feb. 11.

The Special Committee of the Nebraska Legislature having the matter in charge, reported back the memorial joint resolution praying for female suffrage, and recommending its passage.

The Fraudulent Naturalization Cases at Trenton, N. J.

TRENTON, Thursday, Feb. 11.

Wm. A. Treadwell, arraigned to-day on five indictments for forging naturalization papers, and conspiring with others with same intent, pleaded not guilty, and was bailed for $5,000 to appear daily, pending trial, with Noah Taylor and Samuel Kay, sureties. Abm. Lear, charged with falsely swearing to certificates of naturalization, was admitted to bail for $5,000 to appear on the 23d of February. The trial of George W. Thorn, Collector in Fifth District, for breach of bond, involving $100,000, was opened to-day.

The Duties of the President of Harvard College.

BOSTON, Thursday, Feb. 11.

At an adjourned meeting of the Overseers of Harvard College to-day, the proposition to enable the corporation to nominate a candidate for President was discussed, the prevailing opinion expressed being that the duties of the office of President should be definitely laid down before an election. An adjournment of two weeks was carried, when the committee on the subject will probably report.

The Funeral of Ex-Gov. Hubbard, of Maine.

AUGUSTA, Me., Thursday, Feb. 11.

Ex-Gov. Hubbard was buried this afternoon at Hallowell. The funeral services were held in the Baptist Church, and were conducted by all the clergymen in that city. Gov. Chamberlain and the Council, a large number of members of the Legislature, and a great concourse from different parts of the State were in attendance.

The Kansas Legislature.

ST. LOUIS, Thursday, Feb. 11.

Both Houses of the Kansas Legislature have adopted a memorial to Congress in aid of the central branch of the Pacific Railroad, the St. Joseph and Denver Road, and the eastern division of the Union Pacific Road. Also, a memorial to Congress to tax the lands held by the Indians under patents.

Thomas Lafon Convicted of Manslaughter.

NEWARK, N. J., Thursday, Feb. 11.

The jury in the trial of Thomas Lafon, for the killing of Joseph Herring, rendered a verdict for manslaughter with a recommendation to mercy. The jury was out about four hours. The sentence will be passed Saturday.

The South Carolina Legislature.

COLUMBIA, S. C., Wednesday, Feb. 10.

The Governor sent in a veto message to the Legislature to-day, returning with his objections the act to lend the name and credit of the State to the Greenville and Columbia Railroad Company.

Miscellaneous Telegrams.

ELMIRA, N. Y., Feb. 11.—Wm. Walsh, a laborer, was killed about 9 o'clock last evening, a few miles east of this city, by the cars on the Erie Railway. He stepped from one track to the other to allow a train to pass, when a train coming from the opposite direction struck him, killing him instantly.

NEWARK, N. J., Feb. 11.—Joseph Scofield, an intemperate hatter, committed suicide at his boarding-house this morning, by blowing his brains out with a pistol. He leaves a family residing in Brooklyn.

BINGHAMTON, N. Y., Feb. 11.—The town elections held in Broome County this week resulted in a Republican gain. The Board of Supervisors this year consists of sixteen Republicans and four Democrats.

WORCESTER, Mass., Feb. 11.—The case of Pike, charged with poisoning his wife, was again before the Police Court at Fitchburg this morning, but after a long argument of the question of postponement, the examination was continued to the 25th inst.

BOSTON, Feb. 11.—Sol. Aaron, a well-known pugilist, is under arrest on indictment for aiding in the late prize fight at Lynnfield.

EUROPEAN NEWS BY MAIL.

ARRIVAL OF THE CUNARD STEAMSHIP CHINA.

The Cunard steamship *China*, which left Liverpool Jan. 30, and Queenstown Jan. 31, reached this port yesterday, with one day's later news than was at hand by the *St. Laurent*.

The six directors of Overend, Gurney & Co. (limited) were on Jan. 27 committed for trial on the charge of conspiracy to defraud the shareholders. The Court was densely packed in every part, and on the Lord Mayor announcing his decision, loud cheers were given, and were taken up by an immense crowd which had gathered outside. In reply to the usual caution, Mr. J. H. Gurney, Mr. Barclay, Mr. Gordon and Mr. Rennie each made a statement to the effect that they had no intention to defraud; that in forming the Company they had acted in perfect good faith, and that they desired the fullest investigation. The defendants were released on bail, each in £10,000, and two sureties of £5,000.

A mysterious affair has created a sensation in the Faubourg St. Germain, Paris. A son of the Compte de Moustier, nearly connected with the Ex-Minister, aged 17, attending the course of preparatory lectures for St. Cyr, quitted his parents' house on Sunday week, having previously asked for sixty francs to distribute among some poor relations he was in the habit of visiting. He neither returned home nor appeared in his accustomed place at the lecture. On Jan. 22 he was picked up on the sea coast near the Hague, in a state of asphyxia, gagged, dripping wet, and wounded in the shoulder. In his pocket-book were found twenty francs, and most fortunate his name and address. The French Legation at the Hague was instantly apprised of the fact. The Secretary to the Minister telegraphed to Comte de Moustier, who instantly started, and found his son partly paralysed, and only able to speak after two days of medical treatment. He had been brought to Paris, but he could give no account of what happened to him.

The Prussian journals state that on the occasion of the anniversary of King Frederick II.'s birthday, the founder of the "Order of Merit," the Superior Chapter, sitting at Berlin, has just conferred the title of Knight on the King of Saxony, for a remarkable translation of Dante's *Divina Comedia*. The Prussian representative at Dresden presented the insignia to His Majesty at a special audience on Jan. 25.

The property of King George of Hanover, at present placed under the administration of the Prussian authorities, amounts in value, according to a statement in the Berlin papers, to £2,074,900, which, placed in the Prussian funds, would bring in an annual revenue of about £88,200. The expense of management, which is under the direction of the Superior President of the Council of Hanover, reaches £37,000.

The King of Prussia, according to some of the Berlin journals, has just made his *debutas* a journalist by publishing in a small print, much read in the army, an article entitled "In January, 1865," vaunting the new organization of the military service of the country, and criticising the conduct of the deputies whose objections, had they been listened to, would not have permitted Prussia to inscribe Sadowa in her military annals.

ALBANY.

The New State Constitution—Tolls on Railroad Freight—Absence of the Railroad Lobby—The Governor's First Veto.

From Our Own Correspondent.

ALBANY, Thursday, Feb. 11, 1869.

The Senate, in Committee of the Whole to-day resumed the discussion of Mr. Folger's bill for submitting the new Constitution to a vote of the people on the fourth Tuesday in April next. The question as to what should be the indorsement on the ballots for or against negro suffrage was finally decided in favor of the provision of the bill as reported—leaving the indorsement as follows: "Constitution—property qualification." Senator O'Donnell surprised the Senate by moving an amendment to the bill so as to submit section 12 of article 3 of the Constitution to a separate vote. The section as it now stands provides that "real and personal property shall be subject to a uniform rule of taxation." This Mr. O'Donnell considered wrong, and unless he could be permitted to dissent from that section he would be compelled to vote against the entire Constitution. The people should not be prevented by the organic law from imposing special taxes on those corporations which were best able to bear taxation. He charged that this section was inserted in the new Constitution through the influence of corporations—an influence whose baleful effects were seen in all the legislative halls of the country. Something had got to be done to lighten the taxation on real estate; the farmers were overburdened with taxes, while rich corporations appeared to conspire together to evade taxation.

The Committee rose before taking a vote on Mr. O'Donnell's amendment.

IMPOSING TOLLS ON RAILROADS.

Senator Creamer introduced a bill to compel all railroads running parallel, or nearly parallel, to canals, &c., within thirty miles of the same, to pay toll on all property transported by them other than the baggage of passengers—the amount of toll to be the same as that paid by the canals, and into the same fund.

THE ASSEMBLY

spent most of the morning session in Committee of the Whole on General Orders, and many bills of a local character were ordered to a third reading. A special session is to be held this evening, to continue the discussion of the New-York Commission, and also to debate Mr. La Bau's resolution asking Congress to amend the Naturalization laws.

AFTER THE RAILROADS.

Mr. Clark, of Brooklyn, offered a motion, which lies over, calling for all sorts of information from the Erie Railroad Company. A very strong desire is manifested, by a portion of the Legislature, to do something that shall bring the railroad kings to Albany again this Winter. This is the secret of most of the bills, resolutions and investigating committees about railroads. The enormous sums of money spent here last Winter, during the quarrels of the railroad men, seem to have utterly demoralized a portion of the Legislature, and they long for a return of that festive season when greenbacks were plenty as snowflakes, and votes were worth five, ten or twenty thousand dollars apiece. But the railroad men have learned wisdom. It is reported that they have determined not to spend a cent this Winter, but to rely for protection on the Courts, being confident that the lawyers will be able to drive a locomotive, or a whole train of cars if necessary, through any bill that the Legislature can enact.

THE FIRST VETO.

Gov. Hoffman exercised his veto prerogative for the first time to-day, in returning to the Assembly a bill authorizing the First Presbyterian Society of the town of Perry to dispose of its real estate. The veto is as follows:

STATE OF NEW-YORK, EXECUTIVE DEPARTMENT,
ALBANY, Feb. 11, 1869.

To the Assembly:

I return without my signature an act entitled "An act to authorize the Trustees of the First Presbyterian Church and Society of the town of Perry to convey certain real estate," which was passed in the Assembly, Jan. 14, 1869, and in Senate, Feb. 3, 1869. No special legislation is necessary to attain the object of the bill. The Legislature, long ago, very wisely provided, by a general law, for such cases. It will be seen by reference to that portion of our Revised Statutes which relates to religious corporations, that the Supreme Court may, upon application, make an order for the sale of any real estate belonging to such corporation, and direct the application of the moneys arising therefrom to such uses as the Court may deem to be proper and for the interests of the society. The wisdom of the Legislature, in placing this power, by a general enactment in the Supreme Court has never been doubted, and need not now be discussed. It may be convenient in some instances to obtain authority directly from the Legislature for the sale of the property of a Church; but it is always safer to refer the applicants to the Court, the rules and regulations of which provide for proper and necessary inquiries into the merits of each application. I am sorry to be compelled to interpose my veto in the case of a bill of so little apparent importance; but I have long deplored the fact that so many applications are made for special legislation in cases which are or should be covered by general laws. These applications press heavily upon the valuable time of public men, and add largely to the public expenses. They should be discountenanced and discouraged. General laws should be passed to meet, as far as possible, the requirements and wants of the people; and special legislation should always be refused in cases which are already covered by general enactments.

(Signed) JOHN T. HOFFMAN.

The veto was unanimously sustained. The Governor will be lucky if his future vetoes meet a similar fate.

THE EXCISE LAW.

Mr. Bliss, counsel for the Excise Commissioners, is here, and will have a hearing before the Committee on Internal Affairs this afternoon on the various amendments that have been offered to the present Excise law. There is a general sentiment among the Republican members of the Legislature in favor of some modifications of the law, and it will doubtless undergo some changes this session. The counsel for the Commissioners does not oppose reasonable modifications, and is willing to consent to an extension of the hours during which liquor shops are allowed to keep open, and also to a more equal distribution of the tax in the matter of license fees. S.

THE STATE LEGISLATURE.

SENATE...ALBANY, Thursday, Feb. 11.

BILLS INTRODUCED.

By Mr. Genet—To complete high-service water works at Carmansville, in the City of New-York.

By Mr. Murphy—To amend the code of procedure.

By Mr. Tweed—To incorporate the New-York Real Estate Banking Company, with a capital of $500,000. The first corporators named are Samuel A. Lewis, Griffith Rowe, Benjamin Nathan, James M. Sweeney and Terrance Farley.

By Mr. Humphrey—To incorporate the Trustees of the Wadsworth Library at Geneseo. Also, for the further endowment of the Geneseo College. Also, to legalise the acts of John M. Beach, of Geneseo.

By Mr. Van Patten—To amend the charter of the village of Herkimer. Also, to authorize the Regents of the University to apply $2,500 to purchase books for the benefit of Academies.

By Mr. Folger—Relative to a review by the Assessors of the assessment rolls.

By Mr. Parker—To amend the laws relative to rural Cemetery Associations.

By Mr. O'Donnell—To authorize the construction of a bridge over Beaver River, in Lewis County.

By Mr. Cauldwell—To lay out a highway in West Farms, Westchester County; also, to establish the office of Receiver of Taxes in New-Rochelle, Westchester County.

By Mr. Mattoon—That every notary public may continue to discharge the duties of his office after his term may have expired, till a successor has been appointed.

By Mr. Creamer—Providing that any railroad company running parallel with the canals, and within thirty miles of such canal, such company shall pay to the canal fund on all property the same toll upon that part of the road running parallel to the canal that would have been payable to the State if such property had been transported over the canals.

By Mr. Pierce—To incorporate the Passenger Transit Company between the Cities of New-York and Brooklyn.

Senator Genet's bill proposes empowering the New-York City authorities to expend the sum of $800,000, in addition to the amount heretofore given, for high-service water works, and $100,000 for completion of storage and reservoirs in Putnam County.

BILLS PASSED.

In relation to normal schools. To authorise the town of Manheim to construct a bridge across Rocket Creek. To amend the charter of the village of Red Creek. To incorporate the Board of Education of the Methodist Episcopal Church. Requiring the accounts of the Superintendent of the Poor of Allegany County to be audited by the Board of Supervisors. To provide for the improvement of Racket River. To authorise towns in Jefferson County to take stock in the Carthage, Watertown and Sackett's Harbor Railroad Company. Relative to the purchase by the Flushing and Northside Railroad Company, of the Woodside Railroad. To authorise the extension of the Cleve Branch Railroad. For the construction of a Court-house in Salem, Washington County. Senator Murphy presented the memorial of the Kings County Supervisors, asking for the continuance of the General Storekeeper in the Kings County Almshouse. Adjourned.

ASSEMBLY.

BILLS PASSED.

To authorize the Village of Hamilton to issue bonds and to take stock in the Utica, Clinton and Binghamton Railroad. To release the interest of the State in certain lands in Highland, Sullivan County. To change the name of the "Devoe Pratt Manufacturing Company." To incorporate the Round Lake Camp-meeting Association. To incorporate the Andrew Johnson Club of New-York City. Authorizing the General Theological Seminary of the Protestant Episcopal Church to confer honorary degrees in theology. To legalise the acts of Joseph Gutman, Jr., a notary public. To legalise the acts of James Johnston, a Justice of the Peace of Lewis County. To settle the claim of Thomas D. Gilson, a former clerk of Clinton Prison. Making the waters of Harrison Creek in Canton, St. Lawrence County, a public highway. For the drainage of certain lands in Ira, Cayuga County. To authorise the borrowing of money for the erection of a school-house in Sheoman, Chautauqua County. To confirm the official acts of certain town officers in the County of Westchester. To release to Susan Quinn the State's interest in certain lands. To facilitate the service of civil process on non-resident stockholders. To provide for taking affidavits in other States, to be used in this State. To incorporate the Flushing Library Association. To establish a police force and commission in Syracuse. To change the name of the Manhattan Mutual Benefit Company, of the City of New-York. In relation to the opening of roads through lands devoted to vineyards. To permit the Fulton Manufacturing Company to reduce the number of trustees.

BILLS INTRODUCED.

By Mr. Husted—To provide for the grading of Centre-street, Peekskill.

By Mr. Hitchman—To authorise the Commissioners of Public Charities and Correction, of New-York, to establish an industrial school on Hart's Island.

By Mr. Conger—Relative to the elections in Bethlehem, Albany County.

By Mr. Rich—Authorising the trustees of the Society of Disciples, of Newstead, Erie County, to sell property; also, relative to the tolls on the Buffalo and Williamsville Road.

By Mr. Dimick—To authorise the village of Adams to aid in the construction of the Hungerford Collegiate Institute.

By Mr. Jacobs—To extend the term of service of the Jailor of Kings County. To authorize the Kings County Court Judges to send persons to the Penitentiary.

By Mr. Clark—To amend the laws relative to the inspection of boilers in Kings County. To provide for the payment of the salaries of the Quarantine Police.

By Mr. Smith—To incorporate the trustees of the Wadsworth Library.

By Mr. Broadhead—For the completion of State Arsenal at Rochester. Also, for the relief of the Rochester and Brighton Railroad.

By Mr. Richmond—To protect the civil and religious rights of inmates. Also, relative to the New-York Savings Bank.

By Mr. Hitchman—To incorporate the State Poultry Association.

By Mr. Kenyon—To incorporate the New-York Plate Glass Insurance Company. Also, to promote the safety of travelers on railroads.

By Mr. Porter—To amend the laws relative to the Carmansville high-service water works.

By Mr. Hitchman—To amend the charter of the Western Homeopathic Dispensary of New-York.

By Mr. Stevens—To provide for canal improvement in Oneida County.

The Committee on Federal Relations, to whom was referred the resolutions in relation to the deferred payment of the bounties of volunteers of 1864, reported the following resolution:

Resolved, If the Senate concur, that in the judgment of the Legislature, good faith on the part of the Federal Government requires that provision should be made by Congress for the full payment of the proffered bounties to soldiers who served for at least three-fourths of the specified time.

Also, requesting the State Representatives at Washington to lay the subject before Congress and use their best endeavors to procure the requisite legislation. Carried.

The Governor returned to the Assembly to-day without his signature the bill authorizing the First Presbyterian Church and Society of the town of Perry to convey real estate. The message says no special legislation is necessary to attain the object of the bill, as the Legislature long ago very wisely provided by general law for such cases. The veto was sustained.

Mr. H. M. Clark offered the following:

Resolved, That the President and Treasurer of the New-York and Erie Railroad Company be required, within ten days from the passage of this resolution, to report in writing, under oath, to the Speaker of this House the exact amount of stock of the said Company now outstanding; also, the amount in detail of the funded and floating debt of the said Company, such information to be up to and including the date of the passage of the resolution.

Debate arising, the resolution was tabled.

Also the following:

Resolved, That the Assembly of the State of New-York recognize the claim for the pension of the surviving soldiers of the War of 1812 not provided for by the existing laws, and said Assembly respectfully memorialize Congress in their behalf.

Resolved, That His Excellency the Governor be respectfully requested to transmit a copy of this resolution, duly certified, to the Senators and Representatives in Congress from this State, to be brought by them to the attention of the Senate and House of Representatives respectively.

Carried.

The House then took a recess.

EVENING SESSION.

The House, in Committee of the Whole, considered the message of Gov. Hoffman, Messrs. Hitchman, Nachtman and Plunkett supporting the measures recommended in it, by eloquent arguments.

The naturalization resolutions of Mr. Laird, asking Congress to pass general naturalization laws were then taken up, but without debate were made the special order for Thursday evening.

AMUSEMENTS.

Musical.

ACADEMY OF MUSIC.

Mr. Maretzek's short season of twenty performances commenced last evening with the usual result. The man was at the wheel, but those who said he should not be there were absent. In other words the performance was good, and the attendance wretched. The opera was the "Sicilian Vespers," a work that is familiar but which possesses many dramatic opportunities for new artists. Mme. Agatha States was admirable as the Duchess *Elena*. Her large, grand voice was heard to advantage—a voice, we take occasion to say, which is not excelled on any stage. If the lady had not the misfortune to be an American she would probably be considered the most amply gifted artiste that has ever touched these shores; but she is American and must linger. Signor Brignoli was the *Arrigo* and sang charmingly. He is still the best soft tenor of the stage. Signor Orlandini was simply bad. Signor Antonucci, with his large, true voice, once more maintained the position of an artist. He sang well, and took some interest in the performance, which is more than can be said of any one except Mme. States. The whole performance is not worth referring to except in a brief and uncritical way. It is now sadly but distinctly apparent that opera can be given anywhere—except at the Academy of Music.

Matinees To-Morrow.

There will be *matinées* to-morrow at both the theatres sacred to opera bouffe. At the Théatre Français, "*Fleur de Thé*," a work in which music, drollery and pageants are happily combined, will be sung by Mlles. Desclauzas and Rizzerelli, and MM. Carrier, Beckers and Petit. At the Grand Opera House, Mlle. Tostée, with MM. Decree, Duchesne, Leduc and Lagriffoul will interpret "Orphée aux Enfers."

Personal.

Count Henri Conrad Irscinski and Count de Wierzbicki, of France, are at the Hoffman House. Gen. George S. Batchelder, of Albany; Gen. Sutton, of Salem; and Hon. John Lynch, of Maine, are at the St. Nicholas Hotel. Admiral Christmas, of the Danish Navy, is at the St. Denis Hotel. Hon. Marshall Jewell, of Hartford; Hon. A. Brandagee, of New-London, Conn.; Hon. A. Wing, of Albany; and Hon. T. E. Graves, of Boston, are at the Fifth-avenue Hotel. Gens. John C. Wyman and John L. Swift, of Massachusetts, are at the Westmoreland Hotel. Gen. Johnson, of Boston, is at the St. James Hotel. Gen. Samuel Curtis, of the United States Army, is at the Westminster Hotel. F. Girlades, of London, is at the St. Charles Hotel.

Death of Bamberger.

Bamberger, who shot Miss Bord, and afterward shot himself, at No. 116 Seventh-avenue, at 6 A. M. yesterday, as reported in another column, died at a late hour last night.

Correction.

The statement that the Plasterers' Society is about to strike for increased wages is an error. They have had no such project under consideration. The standard wages during the last few years have been $4 50 a day, and the plasterers have no intention of making further demands.

The West Side.

A reference to our advertising columns will show another important sale, to take place on Monday next, of lots in this favorite district. It consists of the entire block bounded by Eighth and Ninth avenues, and Seventieth and Seventy-first streets. It has a full front of 200 feet on the Central Park, at a point combining, doubtless, more attractions at a single view than can be found at any other one point on the whole line. The upper and lower Ball Grounds, the Mall, the Music stand, the Lake and the Ramble, the whole bounded by the magnificent setting of the Fifth-avenue, are here brought into one view, and that such a view of beauty, magnificence and life as, in a few years, will probably have no parallel on the globe. The Ninth-avenue must, from necessity, become the business avenue of that district, since the Eighth (soon to have a more aristocratic name) and the Boulevard will be appropriated by magnificent residences and ornamented grounds. This must give the lots on this avenue a great value. Everything indicates that this favored district, bordered on the one hand by the Central Park and on the other by the magnificent scenery of the Hudson River, and bisected throughout by the Grand Boulevard, is the chosen ground of the future fashion and wealth of New-York. As such, we dare not venture to predict what its future value may be. There is no rule by which to measure the value of property in New-York, when touched by the golden wand of fashion. She wills it, and the cost disappears from the calculation. Some men's fortune is in their foresight. Such are laying their fortunes now, in the West Side district.

Sale of Diamonds.

In accordance with announcement, the very large and valuable collection of diamonds and gems of Mr. Isaac Hermann, were yesterday offered at public sale by A. M. Cristalar & Son. The attendance was numerous and included mostly business men. The catalogue consisted of two hundred and three lots, some represented by clusters of perfect six and seven carat diamonds, and others substantialized by mere pinches of glittering sand. The bidding, although spirited, was hardly as animated as might have been looked for from connoisseurs. As a consequence, most of the valuable lots, among which were some stones unique in size and beauty, remained unsold. The total value of the collection is estimated at $500,000.

BALLSTON SPA.—Artesian Lithia Spring Water cures rheumatism, gout, dyspepsia, kidney and other diseases. The only spring water in the world that contains all the ingredients of the European and Saratoga Springs with twice their strength. For sale by druggists.—*Advertisement.*

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We have not made a great reduction in prices, and cannot, until a reduction in the price of labor and material will warrant us in doing so. Organs are advertised at $50, Gold Watches at $15, &c. Sensible people can judge of their value.

Instruments of our make (twenty years old) are now valued by their owners as highly as the day they were bought, and it is our intention to sustain our old reputation.

Illustrated catalogues and price lists sent free to any address. A liberal discount to Churches and Clergymen.

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Agent in New-York....................S. T. GORDON

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Velocepedian Mania.

GREAT STEEPLE CHASE

BETWEEN

GREELEY,

DANA

AND

RAYMOND.

A most amusing Cut representing the above will appear in

THE EVENING TELEGRAM,

SATURDAY, Feb. 13.

Velocepedian Mania.

GREAT STEEPLE CHASE

BETWEEN

GREELEY,

DANA

AND

RAYMOND.

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THE EVENING TELEGRAM,

SATURDAY, Feb. 13.

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DU BARRY & CO., No. 163 William-st., New-York, and all grocers and chemists.

New-York State in Pocket Form.—Issued to-day, the Mercantile Agency Reference Book for New-York State, in pocket form, containing in neat and portable shape the name, location, trade, capital and credit standing of every trader in the Empire State. Specimen copies to be seen and terms made known at head office.

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Hair Dye, Hair Dye, Hair Dye.—The genuine W. A. BATCHELOR'S Hair Dye is the best in the world—the only perfect dye—harmless, reliable, instantaneous, black or brown. Sold everywhere, and properly applied at BATCHELOR'S Wig Factory, No. 16 Bond-st., N. Y.

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Dyspepsia Tablets Cure Indigestion, Heartburn, Sour Stomach and its weaknesses; 50 cents per box. Sold by druggists. S. G. WELLING.

A. Morton, 25 Maiden-lane, New-York.

MORTON'S GOLD PENS.

MARRIED.

CASTANEDA—JEWEL.—On Thursday, Feb. 4, by Rev. Father Maguire, Pastor of St. Paul's Church, Harlem, Silvestre Ma. Castaneda, of Consolacion del Sud, Cuba, to Emma F. Jewel, of Irvington, N. Y.

CRAGG—RIGGS.—At Darmstadt, on Saturday, Sept. 5, 1868, in presence of U. S. Consul-General W. W. Murphy, by Rev. J. G. Flood, and subsequently at U. S. Legation, Paris, S. Wilkins Cragg, Engineer Corps U. S. Navy, to Mary Alice, only daughter of the late Elisha Riggs, of New-York.

FITCH—COE.—At New-Haven, Conn., on Thursday, Feb. 4, 1869, by Rev. S. G. Coe, Theodore Fitch, of Yonkers, N. Y., to Kate H., daughter of the officiating clergyman. No cards.

GRISWOLD—BROWN.—At Waterbury, on Tuesday, Feb. 2, by Rev. Mr. Anderson, Richard S. Griswold, of Old Lyme, to Rosa E., daughter of Dr. James Brown, of Waterbury, Conn.

ISAACS—SOLOMON.—On Wednesday, Feb. 10, by Rev. S. M. Isaacs, (father of the bridegroom,) assisted by Rev. H. Phillips, Mr. Myer S. Isaacs to Maria, fourth daughter of Mr. B. L. Solomon, all of this City.

ROBINSON—GOODWIN.—On Wednesday evening, Feb. 10, at the residence of the bride's parents, by Rev. Dr. T. L. Cuyler, Daniel Robinson to Lizzie T., daughter of Horace W. Goodwin, all of Brooklyn.

SCOTT—CHILDS.—On Tuesday, Feb. 9, at Syracuse, at the residence of the bride's father, by Rev. S. R. Canfield, D. D., Theodore Lewis Scott, of Waterford, N. Y., to Elizabeth Bell, eldest daughter of N. M. Childs, Esq.

VOORHEES—YOUNG.—On Wednesday evening, Feb. 10, at the residence of the bride's mother, by Rev. Geo. H. Peak, John N. Voorhees to Miss Kate, daughter of the late W. W. Young, of Jersey City. No cards.

DIED.

COX.—On Monday, Feb. 8, at 1 o'clock P. M., Alfred H. Cox, in the 61st year of his age.

The relatives and friends of the family are respectfully invited to attend his funeral from his late residence, corner of Henry and Amity sts., Brooklyn, on Saturday next, Feb. 13, at 2 o'clock P. M.

DICK.—In Brooklyn, on Wednesday, Feb. 10, Robert Henry Dick, of consumption, after a long and painful illness, which he bore with Christian fortitude, aged 25 years and 8 months.

His friends and the friends of the family are respectfully invited to attend his funeral from his late residence, No. 157 Gold-st., Brooklyn, on Friday afternoon, the 12th inst., at 1 o'clock. His remains will be taken to Cypress Hills Cemetery.

DALE.—At Allston, near Boston, Mass., on Saturday, Jan. 23, 1869, Mrs. Nancy Dale, only sister of Mrs. Wm. H. Churchill, formerly of this City, and of the late Capt. Robert H. Pearson, of San Francisco, Cal.

FERGUSON.—In Brooklyn, on Wednesday, Feb. 10, James Ferguson, aged 54 years and 5 months.

The relatives and friends of the family are invited to attend the funeral from No. 36 Bond-st., to-day, (Friday,) at 1 o'clock P. M. The remains will be taken to New-Hampshire for interment.

FOSTER.—Suddenly, at his residence, Lakeland, near Geneva, N. Y., on Tuesday, Feb. 9, in the 47th year of his age, Herman Ten Eyck Foster, son of the late Andrew Foster, of this City.

His relatives and friends and those of the family are respectfully invited to attend his funeral at the Collegiate Reformed Church, corner of 5th-av. and 29th-st., on Saturday morning, the 13th inst., at 10 o'clock.

FOSTER.—On Wednesday, Feb. 10, Georgie, son of George and Cassie Foster, aged 5 years, 1 month and 17 days.

The funeral will take place this (Friday) afternoon at 2 o'clock, from No. 2 Garden-place, Brooklyn.

FANNING.—In Brooklyn, on Tuesday, Feb. 9, Thomas William, son of W. P. and Mary Fanning, aged 20 years and 24 days.

The relatives and friends of the family are respectfully invited to attend the funeral from the Church of the Redeemer, 4th-av., corner of Pacific-st., on Friday, the 12th inst., at 3½ o'clock P. M.

FULLER.—At Woodbridge, N. J., on Tuesday, Feb. 9, very suddenly, Emeline Guilford, wife of Walter Fuller.

The funeral services will take place on Friday, the 12th inst., at 2½ o'clock, at St. Paul's Church, Rahway. The friends of the family are invited to attend. Cars leave foot of Cortlandt-st., at 1 o'clock.

LORD.—On Tuesday morning, Feb. 9, after a brief illness, James Couper Lord, Esq., of this City, in the 44th year of his age.

The funeral services will take place at the Presbyterian Church, corner of 5th-av. and 19th-st., at 11 o'clock on Friday morning, the 12th inst. The friends of the family are invited to attend.

MACY.—On Thursday, Feb. 11, Charles B. Macy.

The relatives and friends of the family are invited to attend his funeral from St. Ann's Episcopal Church, 18th-st., on Saturday, the 13th inst., at 2 o'clock P. M.

McELROY.—On Thursday, Feb. 11, at Morristown, N. J., of typhoid pneumonia, Robert Duncan McElroy, in the 29th year of his age.

Funeral on Saturday at 12 M., from the house of his father, Rev. Joseph McElroy, D. D., No. 112 West 12th-st.

STIKEMAN.—At Swartswood, N. J., on Wednesday, Feb. 10, of consumption, Rev. William Stikeman, of the Newark Conference, in the 34th year of his age.

Funeral on Saturday, the 13th inst., at 11 o'clock, at the M. E. Church, Lafayette, N. J.

THORP.—At Fairfield, Conn., on Tuesday, Feb. 9, Mrs. Julia Ann Parker, widow of the late Henry S. Thorp, aged 67 years.

Funeral on Saturday, the 13th inst., at 2½ P. M., from her late residence. Trains at 11½ A. M. New-Haven Railroad. Carriages at Fairfield Depot.

MISCELLANEOUS.

CATALOGUES AND GUIDE MAPS

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MUNN & CO., Editors *Scientific American*, No. 37 Park-row, New-York, have had nearly twenty-five years' experience in obtaining

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POST OFFICE NOTICE.—THE MAILS for Europe, for the week ending Feb. 20, will be dispatched from this office as follows, viz: On TUESDAY, at 12 M., WEDNESDAY, at 11:30 A. M., and THURSDAY and SATURDAY at 12 M.; closing at the stations as follows: A and B, 11:40; C and O, 11:30; D and E, 11:15; F and G, 10:50 A. M.

JAMES KELLY, Postmaster.

TO PRINTERS.—PROPRIETORS OF Printing Offices are requested to send for the new Abridged Specimen-Book of Bruce's New-York Type Foundry now in press, which will be ready for distribution April 1, 1869. Address GEORGE BRUCE'S SON & CO., No. 13 Chambers-st., New-York. This paper is printed on Bruce's Agate, Nonpareil, Minion and Brevier No. 12.

HILL, INIMITABLE HAIR-CUTTER, Studio No. 293 Broadway.—Gentlemen desirous of improving their personal appearance by a neat, skillful, judicious, appropriate cut of hair and whiskers, will do well to consult the inimitable. Shaving, shampooing, dyeing, &c. The best and most polite workmen only employed.

PERSONS OF BOTH SEXES DESIROUS of confidential advice and treatment may consult Dr. JAMIESON, (Physician to his Highness Halim Pasha, of Egypt,) at No. 94 Broadway, Room 40, between the hours of 9 and 11 A. M., and 3 and 5 P. M.

FOR SALE—BACK NUMBERS OF THE NEW-York *Times*, by the single number or year, from 1851 to present time. Inquire of Subscription Clerk, Times Office.

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By J. L. NEVIUS.

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II.

NEVIUS' CHINA.

China and the Chinese; a General Description of the Country and its Inhabitants; its Civilization and Form of Government; its Religious and Social Institutions; its Intercourse with Other Nations; and the Present Condition and Prospects. By Rev. JOHN L. NEVIUS, ten years a missionary in China. With a Map and Illustrations. 12mo, Cloth, $1 75.

This work precisely answers the demand for information concerning China created by the most recent developments. While it comprises within proper limits the information obtained by former investigators, it is also invaluable for its fresh contributions. Mr. Nevius was for ten years a missionary in China, and his book testifies to his patient observation and study of Chinese life. It is the only single volume of any value touching upon Chinese life which comes within the reach of popular readers. It contains an interesting account of the Taeping Rebellion, as also of the Chinese Embassy, together with the text of the treaty between China and the United States. It is a compendium of Chinese history and of Chinese life.

☞ HARPER & BROTHERS will send either of the above works by mail, postage paid, to any part of the United States, on receipt of the price.

A NEW NOVEL BY THE AUTHOR of THE HEIR OF REDCLYFFE.

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This historical romance is no common work; it is really a poem in fancy, thought and feeling, but in style an old chronicle.

The authoress appears rather afraid that her work may be considered controversial, though we cannot think she has any ground for such a fear; it is far too liberal to be adopted by any party; in fact, it seems to us that she has aimed at proving that the true religion of the heart is quite compatible with all the three forms of faith whose champions were, at the moment, ready to draw the sword in proof that the true faith was theirs alone. The book abounds with gems of thought—is well worth a careful perusal.

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LAW REPORTS.

COURT CALENDARS FOR FRIDAY.

SUPREME COURT—CIRCUIT.

Part I.—Held by Barnard, J.

Adjourned to Monday.

Part II.—Held by Ingraham, J.—Court opens at 10:30 A. M.

Short Causes.

Nos.		Nos.	
	Russell vs. Sanborn.		Codling vs. Bosenthal.
	Bliss vs. Price.		Collins et al. vs. Bathgate.
	Kruner vs. Miller et al.		Pattison vs. Hurd.
	Hotchkiss vs. Blake N. Imp. &c.		Hires vs. Shields et al.
	The Neptune S. S. Co. vs. Savage et al.		Shumway et al. vs. Curtis.
	Brown vs. Felt.		Hass vs. Mohe.
1153	Wright vs. Billings.		Hetzelbeyer vs. Devereaux et al.
	Wickes vs. Reed et al.		Wise et al. vs. Ullman.
	Emberson vs. Wicks.		Hoyt et al. vs. Powers.
	Shee vs. Richardson.		Van Rensselaer et al. vs. Shute et al.
	Rosenthal et al. vs. Lowenstein.		Townsend vs. Child et al.
	Straub vs. Millemann.		Blood vs. Hickcox et al.
	Fourth Nat. Bank of New-York vs. N. A. Steamship Co.		Same vs. Same.
	McGrath et al. vs. Youngs.		Phelps vs. Clark et al.
	Townsend et al. vs. Carpenter.		Kilty et al. vs. Meyer.
	Reed vs. Saunders et al.		Shepard vs. Justice et al.
	Whitehouse vs. Hebburd et al.		Waring vs. Shears.
	Cook et al. vs. Conklin et al.		McKee vs. Empire Sewing Machine Co.
	Welles vs. Crocker.		Blascoer vs. Mulligan.
	Demarest & Co. vs. Healy.		Brady vs. Helms.
	Fitzgerald vs. Corrigan.		Shumway et al. vs. Depass.
	Johnson vs. Jackson et al.		Garvie vs. Mechanics' Association.
	Arnoux vs. Bennett.		Mechanics' National Bank of N. Y. vs. Rendall.
	Selden vs. Bayley.		Alexander vs. Bach et al.
	Same vs. Same.		Mase vs. Michael.
	Hall vs. Upright.		Keblenat vs. Hahn.
	Aub et al. vs. Swart.		Woodrow et al. vs. Campbell.
	Thorburn vs. Seymour et al.		Adler vs. Doherty.
	Burrows et al. vs. Shute et al.		Allaire vs. Wiard.
	Cladin et al. vs. Regensburger.		Maximillian vs. Schneider, &c.
	Bridgman vs. Wilder Sal. Safe Co.		Whittemore vs. McMahon.
	Fryer vs. Goodwin.		Doremus et al. vs. Nash et al.
	Kelly, Sheriff, &c., vs. Whitney et al.		Heyman et al. vs. Curry.
	Nolen vs. Myer et al.		Putnam vs. Gibson, Jr., et al.
	Ruppell vs. Myer et al.		
	Mott vs. Jewett et al.		

Part III.—Held by Clerke, J.—Court opens at 10:30 A. M.

Short Causes.

Nos.		Nos.	
	McGrane vs. Lucas et al.		Coggswell vs. N. Y. and Ione Silver Mining Company.
	Barton vs. Isaacs et al.		Thomas vs. Ballard.
	First National Bank of Richmond vs. Walker.		Stott vs. Miller.
			Van Rensselaer et al. vs. Shute et al.
	Bayley vs. Phelps.		Blood vs. Hickcox et al.
	Birdseye et al. vs. Monitor Horse Shoe Company.		Grey vs. Wallenbeck.
			Secor et al. vs. Miles et al.
	Hancock vs. Gomez et al.		Packer vs. Wetzel et al.
	Shall vs. King.		Same vs. Same.
	Potter vs. Hyman et al.		Giles vs. Weldon et al.
	Meyer vs. Losey.		Knight, &c., vs. Conlin.
	Conant vs. Ten Eyck.		Allemania vs. Smith.
	Bertram et al. vs. Leith.		Smith vs. Sonnekalb et al.
	Washington Iron Works vs. Chamberlain et al.		Sullin et al. vs. Fleischmann et al.
2461	Wapler vs. Olney.		Flynn vs. Etna Live Stock Ins. Co. of Hartford, Conn.
	Mass vs. Hols et al.		Stuyvesant vs. Smith.
	DeGraaf et al. vs. Papy.		Blancour vs. Schaffman.
	Videaux et al. vs. Herckenrath.		Johnson vs. Reid et al.
	Scribner vs. Mitchell.		Koch vs. Halle, impleaded, &c.
	Stohr vs. Mead, impleaded.		Wilcox vs. Stockton.
	Tweddle et al. vs. Schafer.		

SUPREME COURT—SPECIAL TERM.

Held by Sutherland, J.—Court opens at 10:30 A. M.

Demurrers.

Nos.		Nos.	
8	Wilks vs. The Mayor, &c.	10	Ely et al. vs. The Mayor, &c.
9	Tilden et al. vs. The Mayor, &c.	15	Cranston vs. Plumb.
		20	Merwin vs. Pratt.

Issues of Law and Fact.

Nos.		Nos.	
	Percival vs. Gilman et al.		Close, Assignee, vs. Sherman et al.
	Knapp vs. Met. Collar Co.		De Luyer, Assignee, vs. Pike et al.
	Close, Assignee, vs. Wooster Sherman's Bank.		Loughran vs. Kerr.
			Chapman et al. vs. Schmidt.
	Hartshorne et al. vs. Rolf et al.		Whitehead vs. Ninth-avenue R. R. Co.
	Pinto, Surv., vs. Hatfield et al.		Lyon vs. De Comeau et al.
	Dick vs. Glover, Executor, et al.		Lathrop & M. Co. vs. Bond & Lathrop Manuf. Co. et al.
	Goodwin et al. vs. Emerson et al.		Crenshaw vs. Mason.
	Norton et al. vs. Taylor et al.		Voorhis, Admin., vs. Sherman et al.
	Sixth-avenue R. R. Co. vs. McIntyre et al.		Hudson vs. Bernard et al.
	Elmore vs. East N. Y. and Jamaica R. R. Co. et al.		Booth vs. Lent et al.
			Fielder vs. Young.
	Voorhis, Jr., vs. Kiernan et al.		Martin, Trustee, vs. Brunswick Canal R. R. Co.
			Webb vs. Buckalew.

SUPREME COURT—CHAMBERS.

Held by Cardozo, J.—Court opens at 10 A. M.—Call of Calendar at 12 M.

Reserved Cases.

Nos.		Nos.	
71	Livingston, &c., vs. Birdsall et al.		In re Cecil vs. Met. Gaslight Co.
	Culkin, Receiver, vs. Manhattan Oil Co.		Claflin et al. vs. Christal, &c.
	Maloney vs. Fowler.		Burns vs. Roger et al.
	Ruchert vs. Lorillard Fire Ins. Co.		Noah vs. Man. Cow Relief Association.
	Winans vs. Isod.		Same vs. Same.
	Birdsall, &c., vs. Livingston, &c.		Johnson vs. Altmeyer.
		307	Clash vs. Donnelly.

SUPERIOR COURT—TRIAL TERM.

Part I.—Held by Monell, J.—Court opens at 11 A. M.

Short Causes.

Nos.		Nos.	
	Smith vs. Ducharch.		Soule et al. vs. Chase.
	Bertram vs. Bendall.		Noe vs. Thomson, &c.
	Bennett vs. Wardwell.		Matthew vs. Maurer, impl'd.
	Griggs et al. vs. Davison Express Co.		Rausch vs. Miller et al.
1119	Kilmartin vs. Pell.		Van Saun et al. vs. McMillan.
	Egan vs. Bolte.		Nicholson vs. East Tenn. Zinc Co. et al.
	Bonnell vs. Richards.		
	Peiser vs. Gong. Bikur Cholim Ukadisha.	1510	Stern vs. Bacharach, impl'd, &c.

SUPERIOR COURT—TRIAL TERM.

Part II.—Held by Jones, J.—Court opens at 11 A. M.

Nos.		Nos.	
	Scheele et al. vs. Lipman.	710	Reed vs. Brunner et al.
	Cooley vs. Stieghts.	718	Dingel vs. Gordon.
	Buttles vs. Hitchcock.		Conlon vs. Watson.
	Crowley et al. vs. McKnight.	750	Masterson vs. Schenck et al.
	Moylan vs. Crawford.		Barnum and Vanamburgh Co. vs. St. Mark's Fire Ins. Co.
	Mathews vs. Spaulding.		
	King vs. Heinsel.		Barnum and Vanamburgh Co. vs. Commerce Fire Ins. Co.
	Jenetts vs. Crook et al.		
	Ross vs. Whitefield.		

MARINE COURT—TRIAL TERM.

Calendar called by Alker, J., at 10 A. M.

Nos.		Nos.	
	Uthoffe vs. Courtney.		Burnham vs. Jones.
	Kallaher vs. George.		McMahon vs. Daly.
	Kohn vs. Rosenstein.		Dexter vs. Lessen et al.
	Durnin vs. Brett.		Kyle vs. Stein.
	Walter v. Gibbons.		Woods vs. Diger.
	Kerr vs. Dibble.		Kennelly vs. Gleason.
1712	Kaiser vs. Mooney.		Geoghegan vs. Robinson.
1714	Cowie vs. Reed.		Kennelly vs. Haines.
	O'Mahoney vs. Taylor.		Gray vs. Coburn.
	Creamer vs. Dinsmore.		Shotwell vs. Foster.
	Sward vs. Hunting.		Davis vs. Stern.
	McGann vs. Temple.		Stechler vs. Koppe.
	White vs. Harrison.		Flaville vs. Bostwick.
	Farrell vs. Duggin.	1717	Case vs. Lent, Jr.
	Hunt vs. Conway.		Straus vs. Herman.
	Young vs. Young.		

COURT OF GENERAL SESSIONS.

Held by John K. Hackett, Recorder.—Court opens at 11 A. M.

Nos.		Nos.	
1	The People vs. Amelia Appel; grand larceny.	5	The People vs. James Hart and Wm. Morris, burglary.
2	The People vs. Robert Shearer, burglary.	6	The People vs. John Leonard, rape.
3	The People vs. Charles Newman, forgery.	7	The People vs. James Brown, E. Smith, John Willis, William Hassett and Solomon Green, robbery.
4	The People vs. Edward Toppey and John Williams, burglary.		

CITY COURT—BROOKLYN—FEB. 12.

Nos.		Nos.	
94	Gregory vs. Coffin.	127	Davis vs. Roebuck.
114	Smith vs. Butler.	129	Hawxhurst vs. Goulding.
117	Hausman vs. Vigi.		
118	Briggs vs. Barwick.	130	Ryan vs. Short.

UNITED STATES DISTRICT COURT—SOUTHERN DISTRICT OF NEW-YORK.

ATTACHMENTS IN COMMON LAW ACTIONS—NOTICES OF LIS PENDENS—POWER AND PRACTICE OF THE COURT.

The United States vs. Vernon K. Stevenson.—BLATCHFORD J.—This is an action at common law. The first paper placed on the records of the Court in it was an information, which was filed on the 1st of March, 1867. It states that the Attorney of the United States comes "in a suit of common law and informs the Court" that the United States bring suit against the defendant for the cause of action propounded in two articles, which follow in the information. The substance of them is, that the United States were entitled to the immediate possession of certain bales of cotton, their property; that the defendant, being in possession of the cotton, unlawfully converted and disposed of it to his own use; that such conversion was fraudulent; and that the proceeds of the property had been disposed of by the defendant with intent to secrete the same from and to defraud the United States. The information prayed that process of attachment might issue against the property of the defendant, and was accompanied by an affidavit in support of the application for an attachment. Indorsed on the information is a direction signed by my predecessor, and dated Feb. 28, 1867, in these words: "Let process of attachment issue against the property of the within-named Vernon K. Stevenson, agreeably to the prayer of the within-named information, and let the said Vernon K. Stevenson be cited to appear on the return of process herein, and answer to the allegations in this behalf." Thereupon, process was issued to the Marshal on the 1st of March, 1867, reciting that the information had been filed "in a certain action at common law," and commanding the Marshal to cite the defendant, if found in his district, to appear and answer the information, and, also, to attach the property of the defendant. The information and the process stated the claim at the sum of $1,000,000. The return of the Marshal to the process was that he had served a copy of it on the defendant, and had also served a copy of it on the President of a bank in the City of New-York, stock in which was alleged to be owned by the defendant. On the 1st of March, 1867, a notice signed by the District-Attorney, and entitled in the suit and indorsed as being a "*lis pendens*," was filed in the office of the Clerk of this Court. The notice states, "that an action has been commenced, and is now pending, in this Court, upon an information against the above-named defendant, and that a warrant of attachment, according to the rules and practice of this Court and the statute in such case made and provided, has been duly issued therein against all and singular the property of the said defendant, Vernon K. Stevenson, both real and personal, situate and being within the City and County and State of New-York, and also situate and being in the Southern District of the United States for the State of New-York, and that the following is a description of all and singular the real estate of the said defendant, Vernon K. Stevenson, situate and being within the said City and County and State of New-York, attached, levied upon and affected under and by virtue of said process or warrant of attachment," and closes with a specific description, by metes and bounds, of the real estate referred to, which embraces forty lots of land in the City of New-York. A like notice of *lis pendens* was filed by the District-Attorney in the office of the Clerk of the Supreme Court for the City and County of New-York. The defendant put in his answer in the suit, and the issue has been tried by a jury, resulting in a verdict for the defendant, under the direction of the Court, on a question of law. The Government has taken steps toward a review of the decision. The defendant now moves to vacate the attachment on the ground that it was issued without authority of law, and to set aside the notices of *lis pendens* on the ground that they were filed without authority of law. In regard to the attachment, it is claimed that this Court has no authority to issue any attachment in a common law action; that in the practice of the Courts of the United States for this district, no attachments have ever been issued in common law actions; that the right to issue attachments and the right to file notices of *lis pendens* are not matters of ordinary legal right, but exist only as creations of positive statutes; and that there is no statute of the United States which authorizes this Court to issue an attachment, or to sanction the filing of a notice of *lis pendens* in a suit of the character of the present one. This suit must necessarily be regarded as a suit at common law or this Court would have no jurisdiction of it, for, by the ninth and tenth sections of the Judiciary act of Sept. 24, 1789, (1 U. S. Stat. at Large, 77,) no jurisdiction of any equity suit is given to this Court, except of suits in equity against Consuls or Vice-Consuls; and by the ninth section of that act, in connection with the fourth section of the act of March 3, 1815, (3 U. S. Stat. at Large, 245,) jurisdiction is expressly given to this Court of all suits at common law where the United States sue. The statute which governs the forms of process and the forms of proceeding, and the modes of proceeding in suits at common law, in the Courts of the United States, is the act of May 8, 1792, (1 U. S. Stat. at Large, 275.) The second section of that act provides that "the forms of writs, executions, and other process except their style, and the forms and modes of proceeding in suits, in those of common law, shall be the same as are now used in the said Courts respectively, in pursuance of the act entitled 'An act to regulate processes in the Courts of the United States,' * * * except so far as may have been provided for by the act to establish the judicial Courts of the United States, subject, however, to such alterations and additions as the said Courts respectively shall in their discretion deem expedient, or to such regulations as the Supreme Court of the United States shall think proper, from time to time, by rule, to prescribe to any Circuit or District Court concerning the same." The act referred to "to regulate processes in the Courts of the United States" is the act of Sept. 29, 1789, (1 U. S. Stat. at Large, 93,) the second section of which provides "that until further provision be made and except where by this act or other statutes of the United States is otherwise provided, the forms of writs and executions, except their style, and modes of process and rates of fees, except fees to Judges in the Circuit and District Courts, in suits at common law, shall be the same in each State respectively as are now used or allowed in the Supreme Courts of the same." This Court existed when these acts of 1789 and 1792 were passed. It therefore is required by the act of 1792 to use as its forms of process and modes of proceeding in suits at common law, the forms and modes which were using in such suits on the 8th of May, 1792, (and which forms and modes were required by the act of 1789, taken in connection with the act of 1792, to be the forms and modes used as allowed on the 29th of September, 1789, in the Supreme Court of the State of New-York) subject only, as provided by the act of 1792, to any provisions contained in the Judiciary act of Sept. 24, 1789, (1 U. S. Stat. at Large, 73,) and also to such alterations and additions as this Court shall, in its discretion deem expedient, and also to such regulations as the Supreme Court of the United States shall think proper, from time to time, to prescribe to this Court. The first section of the act of Aug. 23, 1842, (5 U. S. Stat. at Large, 518,) does not apply to the present case, because the State of New-York was admitted into the Union before the 29th of September, 1789, and the third section of that act applies only to final process. It is unnecessary, in this case, to show that at the 29th of September, 1789, there was no process of attachment against property in a common law action allowed … [illegible] …

… Whether he regarded it as reposing on the privilege or prerogative of the United States, or on the construction of some written rule of this Court, or on acquiescence and uniform mode of proceeding, or on some specific act of Congress, cannot be ascertained, as his views are not on record, and the point is immaterial on this application. I am satisfied, from inquiry, that the matter of issuing the attachment was deliberately considered by him, and that his conclusion was not hastily reached. The propriety of that conclusion is strengthened by the fact that nearly two years have elapsed without the authority of the Court to issue the attachment being questioned by the defendant. So far, therefore, as the motion to vacate the attachment is founded upon an alleged want of authority in this Court to issue it, the motion must be overruled. The act of March 14, 1848, (9 U. S. Stat. at Large, 213,) was referred to as affecting the question. That act provides "that whenever, upon process instituted in any of the Courts of the United States, property shall hereafter be attached to satisfy such judgment as may be recovered by the plaintiff in such process, and any contingency occurs by which, according to the laws of State, such attachment would be dissolved upon like process pending in, or returnable to, the State Courts, then such attachment or attachments made upon process issuing from, or pending in, the Courts of the United States within such State, shall be dissolved, the intent and meaning of this act being to place such attachments in the Courts of the States and the United States upon the same footing." No contingency, such as is referred to in this act, is shown to have occurred, as a ground for dissolving this attachment. So far as the motion is based upon the ground of amnesty and pardon, of which the defendant claims the benefit, those matters go to the entire action, and not merely to the question of attachment, and must be brought up, if at all, by way of plea. The question of pardon was so brought up in the case of Armstrong's Foundry, (6 Wallace, 766.) If the attachment was properly issued, it was not irregular to file in the office of the Clerk of this Court the notice of *lis pendens* that was filed therein. As to the one filed in the office of the Clerk of the State Court, this Court has no control over the records of that Court, or over the action of the District-Attorney in filing it there. The motion is denied.

T. Simons, (Assistant District-Attorney,) for the plaintiffs. J. H. Ward and C. A. Seward, for the defendant.

UNITED STATES CIRCUIT COURT—SOUTHERN DISTRICT.

Before Judge Benedict.

SENTENCE—INSANITY.

The United States vs. Charles Harper.—District-Attorney Courtney moved that the sentence of the Court be pronounced upon this defendant, who has pleaded guilty at this term of the Court to the charge of uttering counterfeit national currency. Judge Stewart, counsel for the defence, called the attention of the Court to the prisoner's condition, stating that he was certainly not in his right mind, even if he could not be called positively insane. Assistant District-Attorney Bell said that an examination of the prisoner had been made by a competent physician, and that he had reported that he was not insane. Moreover, that he had been before convicted of a similar offence and sentence suspended. The Court decided that it would not sentence the prisoner then, but would give counsel an opportunity to establish his insanity by professional evidence or by recourse to the State law. That if he were insane, it was not a case for any sentence; but if sane, it was no case for a light one.

THE ITALIAN COUNTERFEITING CASE—NAMES OF WITNESSES.

The United States vs. Rosario Denero et al.—The prisoner was arrested, with several other Italians, in a barber's shop in Cherry-street, in January last, on the charge of counterfeiting the National currency. Judge Stewart, counsel for the defendant, Denero, moved the Court to instruct the District-Attorney to furnish this defendant with a copy of the indictment and the names of the witnesses against him. Mr. Courtney objected that it was not the practice of the Court to furnish the names of witnesses, and that such a course would not conduce to the ends of public justice. The Court said that it knew of no statute provision, nor any rule of practice, which would authorize it to make the order desired. Application denied. Case set down for Saturday, the 20th.

The United States vs. Lorio Moletti.—This defendant was one of the parties arrested with Denero, and was put on trial under an indictment for having counterfeit money in his possession, a five dollar counterfeit note having been found upon his person when he was searched on the occasion of the arrest. This note the prisoner endeavored to throw away or destroy. A large quantity of counterfeit currency was found upon the premises, and also some good money, which had been marked by the detectives and used to purchase the counterfeit. The Government established these facts by the testimony of the agents of the Treasury Department who made the arrest. The defence advanced the theory that the prisoner found the bill and did not know its character, supporting it by the testimony of two witnesses, friends of the prisoner.

The jury returned a verdict of guilty.

MEETING OF THE BAR IN REFERENCE TO MR. BRADY'S DEATH.

The meeting of the Bar, to take action in regard to the death of the late James T. Brady, will take place in the General Term room of the Supreme Court, in the new City Hall, on Saturday, 13th inst., at 11 A. M.

UNITED STATES MARSHAL'S OFFICE.

REMOVAL OF ECKEL TO THE ALBANY PENITENTIARY.

When Blaisdell and Eckel were each sentenced to three years' imprisonment on one of the counts of the indictment on which they were convicted, the Court granted permission for them to remain in Ludlow-street Jail, on the suggestion of their counsel that they might be needed as witnesses in the Fullerton case. As it is now almost certain that that case will not be tried this term, Eckel has been taken to the Albany Penitentiary, by Deputy Marshals Dwire and Sease, to serve out his term, Blaisdell remaining to await trial on two other indictments against him.

UNITED STATES COMMISSIONERS' OFFICE.

Before Commissioner Osborn.

ALLEGED PERJURER COMMITTED.

United States vs. Joseph F. Talcott.—In this case, in which an examination has long been pending against the defendant on a charge of perjuring himself in testifying in a car-brake patent case, before Commissioner Stilwell, the defendant has been committed for trial.

COURT OF GENERAL SESSIONS.

Before Recorder John K. Hackett.

In the Court of General Sessions, before Recorder Hackett, yesterday morning, a calendar of twenty-three cases was disposed of. Five trials occurred, and ten pleas of guilty were received. Twelve sentences were pronounced, two acquittals resulted from trials, and seven prisoners were discharged. Several cases were postponed until to-morrow. All but two of the cases were for theft on charges of burglary, robbery or larceny.

Assistant District-Attorney Hutchings insisted upon the rule in accepting no pleas except for offences charged in the indictment, and no postponements.

SENTENCES FOR THEFT.

James Gorman and Charles Stevens, indicted with Henry Schultz for burglary, pleaded guilty. Schultz pleaded not guilty and was remanded for trial. The Recorder, in pronouncing sentence, said he understood that the prisoners were professional burglars, but in consideration of their plea he would take off three months from their sentences. He then sentenced them to four years and nine months, each, in the State Prison.

Charles L. Morgan and John Gregory, jointly indicted with Charles Adams and John Hadden for burglary, pleaded guilty. Morgan desired, and was permitted, to make a statement to the Court. He said that he stole the property under the direction and with the assistance of Gregory, and they only placed it in the possession of Adams and Hadden, who knew nothing of the fact of its having been stolen. Two watches were among the goods stolen. He also said that he was intoxicated at the time and had never been under arrest before. The Recorder said he liked the manly way in which the prisoner acknowledged his guilt and would not be so severe on him as he had the right to be. He pronounced sentence of two years and six months in the State Prison. John Gregory also pleaded guilty, and asserted the innocence of Adams and Hadden. His counsel asked for the mercy of the Court, saying that he had been formerly industrious and was but half witted below. The Recorder said he understood the prisoner to be a bad character, and sentenced him to the State Prison for four years and nine months. Adams and Hadden were discharged, there being no evidence brought against them. Patrick Harrison, arraigned for larceny, pleaded guilty. He had stolen $6 worth of wearing. On the request of the complainant a plea of petit larceny was accepted, and the mercy of the Court extended to the prisoner. Sentence was pronounced of six months in the Penitentiary.

BANK THIEF SENTENCED.

Henry Thomas, arraigned for grand larceny, pleaded guilty to the charge. He had entered the Chatham National Bank and snatched a roll of bills—about $1,300—from one of the officers. He received a sentence of four years and nine months in the State Prison.

A PICKPOCKET SENTENCED.

Catharine Coleman received a trial for grand larceny. She was proved to have stolen from the pocket of Ludwig Rose on the night of the 14th of January, a watch which he valued at $30. The jury returned a verdict of guilty of petit larceny, and the Recorder pronounced sentence of six months in the Penitentiary. Many cases of minor importance were disposed of and the Court adjourned to 11 A. M. to-day.

Parisian eaters of oysters have been driven to the verge of desperation by the constant and extraordinary increase in price of these much-loved bivalves. Oysters are no longer the familiar things they used to be; oyster wagers are no longer the fashion; *gourmands* have ceased to glory in the number of dozen they could swallow at a sitting. Oysters have become an expensive luxury. Some restaurants charge for the finest kinds as much as three francs a dozen. Surely the augmentation of rents, the costliness of women's dress, and the increase of wages cannot alone account for this wholesale robbery.

DIVIDENDS.

OFFICE OF THE STERLING FIRE INSURANCE CO., No. 155 BROADWAY, NEW-YORK, Feb. 10, 1869.

A DIVIDEND OF FIVE PER CENT. and Government tax has this day been declared by the Directors, payable on demand, on and after the 15th inst.

A. L. SOULARD, Secretary.

EIGHTEENTH DIVIDEND. OFFICE OF THE GEBHARD FIRE INSURANCE COMPANY, No. 142 BROADWAY, Jan. 29, 1869.

The Board of Directors have this day declared the usual semi-annual dividend of Five per Cent., payable on and after Monday, Feb. 1, free of Government tax.

JOHN R. SMITH, Secretary.

OSWEGO AND SYRACUSE RAILROAD COMPANY.—Thirty-first semi-annual Dividend.—The Directors of this Company have declared a Dividend of Four per Cent. on the Capital Stock, free of the Government tax, payable on the 20th day of February, inst.

Dividends in New-York, will be paid at the Howard Insurance Company's Office, by H. A. Oakley, Esq., Transfer Agent; in Albany, at the New-York State National Bank; in Utica, at the Oneida National Bank; in Syracuse, at the Syracuse National Bank; all others at the Lake Ontario National Bank, Oswego.

Dividends not called for within thirty days will be paid at the Treasurer's Office, Oswego.

OSWEGO, Feb. 3, 1869. I. WRIGHT, Treasurer.

OFFICE OF THE CHICAGO AND ALTON R. R. CO., CHICAGO, Ill., Feb. 10, 1869.

NOTICE.—THE STOCKHOLDERS OF THE Chicago and Alton Railroad Company are hereby notified that a Dividend of Five per Cent., free of Government tax, has been declared on the Preferred and Common Stock of said Company, payable at the office of the Company's agents, Messrs. M. K. Jesup & Co., No. 12 Pine-st., New-York, on MONDAY, the 1st day of March next, to the holders of said stock, as registered at closing of books.

The transfer books will be closed on the 19th inst., and reopened for transfers on the 2d of March next.

WM. M. LARRABEE, Secretary and Treasurer.

OFFICE OF THE ST. NICHOLAS INSURANCE COMPANY, No. 165 BROADWAY, NEW-YORK, Feb. 10, 1869.

THE BOARD OF DIRECTORS have, this day, declared the usual semi-annual dividend of Five per cent., free of tax, payable on demand.

JOHN J. SEARING, Secretary.

STUYVESANT INSURANCE COMPANY—TWENTY-EIGHTH DIVIDEND.

A Dividend of Five per Cent., free of Government tax, has been declared out of the profits of last six months, payable on the 18th day of January, 1869, at No. 122 Bowery.

WM. F. LEGGETT, Secretary.

SAVINGS BANKS.

UNION DIME SAVINGS BANK, Nos. 396 and 398 CANAL-ST., corner LAIGHT. SIX PER CENT. INTEREST ON $5 TO $5,000. ASSETS, $5,236,728 58.

HELP WANTED.

WANTED—AGENTS TO SELL THE "American Knitting Machine." Price $25. The simplest, cheapest and best Knitting Machine ever invented. Will knit 20,000 stitches per minute. Liberal inducements to agents. Address AMERICAN KNITTING MACHINE CO., Boston, Mass., or St. Louis, Mo.

WANTED—A FIRST-CLASS DRESSMAKER. One who thoroughly understands the business in all its branches and can cut and fit perfectly, and bring the best of references, may hear of a permanent situation by addressing Post Office Box No. [illegible], Poughkeepsie, N. Y.

WANTED—A COOK TO GO TO THE COUNTRY; a respectable middle-aged Protestant who desires a permanent home; references required; sister or friend might be taken as waitress. Apply to Parlor No. 176 St. James Hotel, between 5 and 6 P. M.

TO PRINTERS.—GOOD BOOK AND JOB compositors, not belonging to any combination, may learn of good steady situations at good wages by applying to JOHN F. BALDWIN, No. 178 Fulton-st. No "strikers" need apply.

WANTED—A GIRL TO DO GENERAL housework; must be a good plain cook and bring City reference. Apply to Mrs. C. B. SEYMOUR, No. 41 Union-place, over the piano store, between 10 and 12.

BOY WANTED—15 OR 16 YEARS OLD, TO do office work in a wholesale house; must write a good hand and come well recommended. Address in handwriting of applicant, Post Office Box No. 2,546.

JOB COMPOSITORS WANTED—First-class hands, for permanent situations, at $22 a week, and upward. JOHN A. GRAY & GREEN, Nos. 16 and 18 Jacob-st.

WANTED—A YOUNG MAN, 14 YEARS OF age, residing with his parents, wishes a situation. Address A. B. C., Box No. 166 Times Office.

WANTED—AN EXPERIENCED WAITER; must have good City references. Apply at No. 350 5th-av., from 4 until 5 P. M.

FINANCIAL.

BANKING HOUSE OF

JAY COOKE & CO.

NO. 20 WALL-ST., CORNER OF NASSAU-ST., NEW-YORK. NO. 114 SOUTH THIRD-ST., PHILADELPHIA. NO. 452 15TH-ST., WASHINGTON.

We buy and sell at the most liberal current prices, and keep on hand a full supply of GOVERNMENT BONDS OF ALL ISSUES, and execute orders for purchase and sale of STOCKS, BONDS AND GOLD.

We have added to our office a Retail Department for the accommodation of the public demand for investment and exchanges of Government securities, the purchase of GOLD and INTEREST COUPONS, and the sale of INTERNAL REVENUE STAMPS.

JAY COOKE & CO.

HATCH, FOOTE & Co.

BANKERS AND DEALERS IN GOVERNMENT SECURITIES, GOLD, STOCKS, &c.

Buy and Sell all issues of U. S. BONDS at MARKET RATES.

No. 12 Wall-st., New-York.

REMOVAL.

THE GLOBE FIRE INSURANCE COMPANY have removed to their new office in the "HOWARD BUILDING," NO. 176 BROADWAY, ONE DOOR ABOVE MAIDEN-LANE, and continue to insure property of every description at the most favorable rates.

CASH CAPITAL	$200,000
SURPLUS Jan. 1, 1869, over	52,000
TOTAL ASSETS	$252,000

LEONARD KIRBY, President. ALFRED A. REEVES, Secretary. EDGAR E. HOLLEY, Surveyor.

BANKING HOUSE OF

Geo. Opdyke & Co.

25 NASSAU ST. CORNER OF CEDAR ST.

DEPOSITS received subject to check at sight, and interest allowed at the rate of FOUR per Cent. per annum.

CERTIFICATES OF DEPOSIT issued, bearing interest, payable on demand, or after fixed dates.

COLLECTIONS made on all points in the United States, Canada and Europe. Dividends and Coupons also collected, and all moneys promptly accounted for.

ORDERS promptly executed for the purchase and sale of Gold; also, Government and other Securities.

LOANS negotiated.

NEW-YORK AND NEW-HAVEN RAILROAD COMPANY.

TO THE STOCKHOLDERS.

By virtue of the authority conferred by the Legislature of Connecticut, accepted and approved at a meeting of the stockholders on the 7th day of July, 1868, and in pursuance of a vote of the Company passed at that time, the Directors will apportion to such persons as shall, on the 1st day of March next, at 3 o'clock P. M., be stockholders, and shall severally elect to receive the same, 20,000 shares of New Capital Stock of this Company at par, in the proportion of one new share for every two shares held, … upon the payment of $25 on each new share, on the 1st day of April next, and the remaining $75 when over the same shall be called for by the Board of Directors.

Scrip certificates will be given at the time of paying installments, and certificates of full-paid stock will be given in exchange for the said scrip certificates, whenever the full amount shall have been paid in.

Persons owning less than two shares, or more than a multiple of two, are advised to purchase or sell, so that the number of their shares shall be two, or a multiple of two.

The Stock Transfer Book will be, and remain, closed, from the 1st to the 15th of March, both days inclusive.

By order of the Board of Directors.

WILLIAM D. BISHOP, President.

NEW-YORK, Jan. 16, 1869.

NOTE.—The remaining 75 per cent. will be called for from time to time, as may be necessary to pay for additional improvements to the road and equipment. Stockholders are requested to notify the Company at once whether they elect to take the new stock.

BOWLES BROTHERS & CO., BANKERS AND COMMISSION MERCHANTS, NO. 12 RUE DE LA PAIX, PARIS. No. 19 William-st., New-York. No. 76 State-st., Boston.

Make advances on American securities and cash coupons on demand. Bills on the United States or England bought and sold. Circular credits issued. Letters for Americans in Europe addressed to our care will be forwarded or delivered.

BROWN BROTHERS & CO., NO. 59 WALL-ST., issue COMMERCIAL and TRAVELERS' CREDITS AVAILABLE in all PARTS of the WORLD.

MERCHANTS' AND MECHANICS' NATIONAL BANK OF TROY.—Notice is hereby given to the stockholders of the Association … [illegible] … And the holders of the notes of said Association, and all other creditors thereof, are hereby notified to present the notes and other claims against the Association for payment at the banking-house of said Association in the City of Troy.

Dated TROY, Dec. 31, 1868.

By order of the Board of Directors.

FRS. SIMS, Cashier.

This Bank has reorganized as a State Institution, and will continue business as usual, under the name of The Merchants' and Mechanics' Bank of Troy.

COMPTROLLER'S OFFICE, CITY HALL, JERSEY CITY, Feb. 10, 1869.

THE JERSEY CITY SINKING FUND Commissioners will receive bids for the purchase by them, of $80,000 of Jersey City Coupon Six and Seven per Cent. War Bonds. Said bids will be received until the 20th inst., at noon, when the same will be opened and accepted or rejected, as the Commissioners deem best for the interest of the City. Proposals to be inclosed in sealed envelopes and addressed "to the Commissioners of the Jersey City Sinking Fund, Comptroller's Office, City Hall, Jersey City."

HORATIO N. EGE, E. F. C. YOUNG, F. R. BENWELL, HOSEA F. CLARK, Commissioners of the Jersey City Sinking Fund.

THE QUICKSILVER MINING COMPANY, CHARTERED BY THE STATE OF NEW-YORK, OFFICE NO. 19 NASSAU-ST., NEW-YORK, Feb. 9, 1869.

THE ANNUAL MEETING OF THE stockholders will be held at the office of the Company, in the City of New-York, on WEDNESDAY, Feb. 24, 1869, at 1 o'clock P. M. The annual election of Directors will be held at the same place, on the same day, between the hours of 2 and 3 P. M. The transfer books will be reopened on Thursday, Feb. 25.

By order of the Board of Directors.

J. B. RANDOL, Secretary.

DELAWARE, LACKAWANNA AND WESTERN R. R. CO., GENERAL OFFICE, No. 26 EXCHANGE-PLACE, NEW-YORK, Feb. 1, 1869.

THE ANNUAL ELECTION FOR OFFICERS and Managers of this Company for the ensuing year, will be held at this office, on TUESDAY, the 23d day of February inst., at 12 o'clock M.

The polls will be open between 12 o'clock M. and 1 o'clock P. M.

The transfer books will be closed from the evening of the 2d inst. until the morning of the 24th inst.

By order of the Board of Managers.

CHARLES E. GARRYL, Secretary.

CLEVELAND, COLUMBUS, CINCINNATI AND INDIANAPOLIS RAILWAY COMPANY, CLEVELAND, Ohio, Jan. 26, 1869.

THE ANNUAL MEETING OF THE stockholders of this Company for the election of Directors, and for the transaction of other business, will be held at the office of the Company, in Cleveland, on WEDNESDAY, the 17th of February next, between the hours of 11 A. M. and 3 P. M.

The transfer books will be closed from the evening of Feb. 6 until Feb. 18.

GEO. H. RUSSELL, Secretary.

ELECTION.

OFFICE OF THE MERCANTILE FIRE INSURANCE COMPANY, NEW-YORK, Feb. 6, 1869.

The annual election for Directors of this Company, also for three Inspectors of Election, will be held at the office of this Company, No. 166 Broadway, on TUESDAY, Feb. 16, 1869, between 12 o'clock M. and 1 o'clock P. M.

WM. L. ANDERSON, Secretary.

OFFICE OF THE ATLANTIC AND GREAT WESTERN PETROLEUM COMPANY, No. 153 BOWERY, CORNER GRAND-ST., NEW-YORK, Feb. 9, 1869.

AN ELECTION FOR SEVEN TRUSTEES and three Inspectors for the next ensuing election, will be held on MONDAY, Feb. 15, between the hours of 3 and 4 o'clock P. M. The transfer books will remain closed until that date.

W. A. HALL, Secretary.

ISLE ROYALE MINING COMPANY, NO. 44 EXCHANGE-PLACE, NEW-YORK, Feb. 8, 1869.

THE ANNUAL MEETING OF SHAREholders for the choice of Directors and the transaction of any other lawful business will be held on WEDNESDAY, March 10, 1869, at 12 o'clock.

F. W. CAPEN, Secretary.

THE MILWAUKEE AND ST. PAUL RAILWAY COMPANY give notice, that on Feb. 15, 1869, they will pay a cash Dividend of Seven per Cent. on their preferred stock, and will divide in common stock Ten per Cent. to their preferred stockholders, and Fourteen per Cent. on their common stockholders, according to the list of stockholders on Jan. 30. The transfer books will be closed from Jan. 30, 3 P. M., to Feb. 15, 10 A. M. By order of the Board of Directors.

JAMES M. McKINLEY, Transfer Agent.

$35,000 FIRST MORTGAGE BONDS of the Pacific Railroad Company of Missouri, principal and interest payable in gold, for sale at 86 per cent., by HOWES & MACY, No. 30 Wall-st.

FINANCIAL.

VERMILYE & CO., BANKERS,

REMOVED TO NOS. 16 AND 18 NASSAU-ST.

DEALERS IN ALL ISSUES OF GOVERNMENT SECURITIES AND IN GOLD AND GOLD COUPONS.

CLOSING PRICES.

NEW-YORK, Feb. 11, 1869—3 P. M.

	Buy.	Sell.		Buy.	Sell.
Registered, 1881	112¾	112⅞	5-20 Coupon, '67	109¾	110
Coupon, 1881	113¾	113⅞	5-20 Coupon, '68	[illegible]	[illegible]
5-20 Regis., 1862	109⅞	110¼	10-40 Registered	[illegible]	[illegible]
5-20 Coupon, '62	112⅞	113	10-40 Coupon	[illegible]	[illegible]
5-20 Coupon, '64	110⅞	111	Gold	[illegible]	[illegible]
5-20 Coupon, '65	112⅛	112¼	U. S. Cur. Pac.	[illegible]	[illegible]
5-20 Coupon, '65, Jan. and July	109⅝	109¾			

BUY AND SELL ON COMMISSION, RAILWAY STOCKS, BONDS AND GOLD, MAKING LIBERAL ADVANCES. INTEREST ON DEPOSITS.

THE HARLEM BANK, CAPITAL $[illegible].

Will open for business about the 1st of March next at their new Banking-room, near corner of 3d-av. and 124th-st.

DIRECTORS:

ADDISON SMITH,	S. J. HARRIOT,
R. G. ROLSTON,	CYRUS J. LAWRENCE,
J. H. BATES,	J. S. COLBY, M. D.,
SAMUEL A. NOLEN,	WM. B. ASTEN,
J. SPEARS,	S. F. RAYNOR,

ADDISON SMITH, President.

ISAAC ANDERSON, Cashier.

Subscription books for the stock are now open at the office of Addison Smith, Esq., No. 1,330 3d-av.

NEW-YORK, Feb. 11, 1869.

A SPECIAL MEETING OF STOCKholders of the Dubuque and Sioux City Railroad Company will be held at the office of the Company, in Dubuque, on the 15th day of March next.

By order of the Board of Directors.

J. B. DUMONT, Assistant Secretary.

ST. LOUIS AND IRON MOUNTAIN 7 PER CENT. BONDS.—The Company will sell, during February, $150,000 of their first mortgage bonds at 86, and a like amount in March will close the entire issue. The security is three times the amount of loan.

H. G. MARQUAND, Vice-President, No. 12 Wall-st.

$150,000 TO LOAN ON FIRST-class City or New-Jersey property. Principals only need apply. S. WINKLEY, No. 115 Broadway.

MARBLE MANTELS.

MARBLEIZED SLATE MANTELS, In great variety and at prices from $10, $12 50, $15, $17 50, $20 to $30 and upward. MANUFACTURED BY THE PENRHYN SLATE COMPANY. ALSO, Hearths, Tiles, Cisterns, Baths, Sinks, Urinals. BILLIARD TABLE BEDS. Slabs, plain and enameled. Slate work made to order. A discount to the trade.

Quarries and Manufactory, Middle Granville, N. Y. Warehouse and Showrooms, 40 West 18th-st., between 5th and 6th avs., New-York. ELEAZER JONES, Manager.

MARBLE AND SLATE MANTELS of the latest designs, at very low prices, at A. KLABER'S Marble Works, Nos. 134 and 136 East 18th-st., near 3d-av., New-York. Mantels put up in the country. Cut this out.

MARBLEIZED SLATE, DECORATED Marble and Marble Mantels, rich and elegant designs. T. B. STEWART, No. 318 West 23d-st., near Broadway. Branch No. 602 6th-av.

MARBLE MANTELS, HEAD-STONES, latest designs, at reduced prices, at S. KLABER'S Marble Works, No. 58 1st-av., near 3d-st. Mantels put up in the country.

LOST AND FOUND.

$50 REWARD.—LOST OR STOLEN, CERtificate No. 11,[illegible], for $10,000 United States 10-40 five per cent. stock, registered, in the name of Grant Thorburn, Jr., and assigned on its back to R. P. Spencer. All persons are cautioned against negotiating the same. Fifty dollars reward will be paid for the return to KETCHUM, PHIPPS & BELKNAP, No. 24 Broad-st.

LOST—ON MONDAY, FEB. 8, BETWEEN Canal and 11th sts., a medium-sized GOLD WATCH, with hunting case. Any one returning the above to No. 28 Union-square will be liberally rewarded.

AUCTION SALES.

ADRIAN H. MULLER, Auctioneer.

AUCTION SALE OF 64 CENTRAL PARK LOTS.

ADRIAN H. MULLER, P. R. WILKINS & CO. will sell at auction, on MONDAY, Feb. 15, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway:

SIXTY-FOUR CENTRAL PARK LOTS, COMPRISING THE ENTIRE BLOCK BOUNDED BY THE 8TH AND 9TH AVS., 70TH AND 71ST STS., TO BE SOLD IN LOTS.

EIGHT specially prominent CENTRAL PARK FRONTS. The title of the premises, being a portion of the HAMSEN ESTATE, is unexceptionable, and a full abstract prepared by Messrs. Wetmore & Bowne, will be furnished to each of the purchasers without charge.

Two-thirds of the purchase money may remain on bond and mortgage for three years.

HENRY H. LEEDS, Auctioneer.

HENRY H. LEEDS & MINER WILL sell at auction on SATURDAY, Feb. 13, at 10½ o'clock, at their salesroom, No. 23 Liberty-st., a few doors west of Broadway, household furniture, the property of a gentleman giving up housekeeping, removed for convenience of sale, consisting of Brussels and ingrain carpets, gilt-frame, pier and mantel mirrors, black-walnut parlor suites, Turkish easy chairs, rosewood marble-top etageres, black-walnut bookcases, black-walnut library table, black-walnut and mahogany bedsteads, bureaus, washstands, commodes, plain and enameled cottage suites, shaving stands, wardrobes, hall stands and chairs, mattresses, pillows, bolsters, &c., oil-paintings and engravings, druggets, China toilet sets, Parian figures, stair carpets and rods, silver-plated ware, glassware, &c., &c.

Also, at 12 o'clock, several very fine rosewood pianos, by the best makers.

MORRIS WILKINS, Auctioneer.

FIRST-CLASS HOUSE NO. 364 LEXINGTON-AV., BETWEEN 38TH AND 39TH STS., AT AUCTION.

E. H. LUDLOW & CO. will sell at auction, on TUESDAY, Feb. 16, 1869, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway, (Trinity Building,) New-York:

LEXINGTON-AV.—The handsome, first-class three-story and basement high-stoop house and lot, No. 364 Lexington-av., west side, between 38th and 39th sts. House is 24.8 x 50 feet, brick, with brown-stone trimmings, in perfect order, and contains every convenience. Possession on delivery of deed.

Maps and full particulars at auctioneer's office, No. 3 Pine-st.

MORRIS WILKINS, Auctioneer.

HOUSE AND LOT ON EAST 28TH-ST., between 2d and 3d avs., at auction, to close an estate.

E. H. LUDLOW & CO. will sell at auction, on TUESDAY, Feb. 16, 1869, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway, (Trinity Building,) N. Y.:

28TH-ST.—The three-story high stoop brick house and lot, No. 237 East 28th-st., on the north side, between 2d and 3d avs. House 25x50 feet; independent walls. Lot 25 feet by half the block. Terms cash.

Maps and full particulars at Auctioneers' office, No. 3 Pine-st.

EDWARD M. BROWN, Auctioneer.

BY T. R. MINTURN, BROWN & CO., THIS DAY, (Friday,) Feb. 12, at 11 o'clock, within their store:

1,000 packages Malaga Raisins.
1,300 boxes London Layers, loose Muscatels.
100 boxes Turkey Prunes.
50 barrels French Chestnuts.

NOTICE IS HEREBY GIVEN THAT under and by virtue of a certain instrument of indenture, dated the sixth day of February, in the year one thousand eight hundred and forty-nine, made and entered into between EDWARD K. COLLINS, JAMES BROWN, ELISHA RIGGS, WILLIAM S. WETMORE and STEWART BROWN, of the first part; PROSPER M. WETMORE, of the second part, and the United States of America by JOHN Y. MASON, Secretary of the Navy of the United States, of the third part, and for the purpose of obtaining repayment of the sum of one hundred and fifteen thousand and five hundred dollars, being the amount of the outstanding balance of advance due, unpaid and unrefunded to the United States, with interest thereon from the twentieth day of February, in the year one thousand eight hundred and fifty-eight, will on the first day of November, in the year one thousand eight hundred and fifty-eight, at 12 o'clock at noon, sell, at the Merchants' Exchange, in the City of New-York, at public auction, for cash, the steamship Atlantic, her tackle, apparel, &c.

PROSPER M. WETMORE, Trustee.

NEW-YORK, April 19, 1858.

The above sale having been postponed from time to time to this date, it is hereby again postponed until THURSDAY, October twenty, one thousand eight hundred and sixty-four, at the Merchants' Exchange Salesroom, No. 111 Broadway, in the City of New-York, at 12 o'clock at noon.

PROSPER M. WETMORE, Trustee.

NEW-YORK, May 21, 1864.

The above sale is postponed till THURSDAY, January twenty-first, one thousand eight hundred and sixty-nine, at same hour and place.

PROSPER M. WETMORE, Trustee.

NEW-YORK, Oct. 20, 1864.

The above sale is postponed until THURSDAY, twenty-fifth day of March, one thousand eight hundred and sixty-nine, at same time and place.

This postponement is a continuation in regular succession of previous postponements legally made in this case from time to time, all of which have been duly advertised in designated newspapers.

PROSPER M. WETMORE, Trustee.

NEW-YORK, Jan. 21, 1869.

AUCTION SALES.

ADRIAN H. MULLER, Auctioneer.

PEREMPTORY SALE OF SIXTY MAGNIFICENT WEST SIDE LOTS, LYING BETWEEN THE CENTRAL PARK AND THE GRAND BOULEVARD,

To close an undivided interest.

ADRIAN H. MULLER, P. R. WILKINS & CO. will sell at auction, on WEDNESDAY, Feb. 17, 1869, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway, the following-described valuable real estate, viz.:

87TH-ST.—6 lots, north side, 275 feet west of 8th-av.

87TH-ST.—10 lots, south side, 400 feet west of 8th-av.

87TH-ST.—12 lots, north side, 52 feet 6 inches east of the Grand Boulevard.

88TH-ST.—10 lots, south side, 125 feet east of the Grand Boulevard, being immediately in the rear of the 87th-st. lots, together forming a plot of 22 lots.

88TH-ST.—8 lots, north side, 100 feet east of the Grand Boulevard.

71ST-ST.—6 lots, south side, 224 feet east of Grand Boulevard. This street is graded, flagged and sewered.

77TH-ST.—4 lots, south side, 200 feet west of 8th-av. This street is now being graded.

8TH-AV.—4 lots on the northeast corner of 78th-st.

Nearly all of the above-described lots are free from rock and cultivated as gardens.

TERMS—Sixty per cent. of the purchase money may, at the option of the purchaser, remain on bond and mortgage for three years.

For maps, &c., apply to the Auctioneers, 7 Pine-st.

ADRIAN H. MULLER, Auctioneer.

VALUABLE PROPERTY ON BROADWAY, CHURCH, DUANE AND WORTH STS., TO BE LEASED AT AUCTION.

ADRIAN H. MULLER, P. R. WILKINS & CO. will sell at auction on TUESDAY, Feb. 16, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway—

BY ORDER OF THE UNDERSIGNED, A COMMITTEE OF THE BOARD OF GOVERNORS OF THE SOCIETY OF THE NEW-YORK HOSPITAL: THE FIFTY-EIGHT LOTS COMPRISING ALMOST THE ENTIRE BLOCK BOUNDED BY BROADWAY, CHURCH, DUANE AND WORTH STS., WILL BE LEASED AT AUCTION ON THE ABOVE-MENTIONED DAY.

This property is located in the centre of the heavy business of the city, on high ground, with dry, sandy soil, and surrounded by first-class improvements. The leases will be for a term of 21 years, with the usual covenants for renewal, and will be similar to those made by the "SAILORS' SNUG HARBOR," which have always been considered as most favorable for the lessee. The advantage of holding long leases on property in the business portion of the City is demonstrated by the large bonus which has been paid for those made by the Sailors' Snug Harbor, amounting in many cases almost to the value of the fee. The leasing of the above-described property at auction will afford an opportunity that in all probability will never again occur for procuring leases of building sites that must, from the constantly increasing demand for business property in this City, soon be worth a large premium, especially as this property is by law EXEMPTED FROM TAXATION.

JAMES W. BEEKMAN, JOHN DAVID WOLFE, ROBT. L. LIVINGSTON, JACKSON S. SCHULTZ, JAMES M. BROWN.

ADRIAN H. MULLER, Auctioneer.

AUCTION SALE OF VALUABLE building lots in the City of Brooklyn, by order of the Trustees of the Puritan Society of Brooklyn, L. I.

ADRIAN H. MULLER, P. R. WILKINS & CO. will sell at auction, on FRIDAY, Feb. 12, at 12 o'clock, at the Exchange Salesroom, No. 111 Broadway:

DEKALB-AV.—Eight lots situate on the southeast corner of DeKalb and Navy avs., each about 25 by 100 feet.

Maps at office of the auctioneers, No. 7 Pine-st.

J. COLE, Auctioneer.

BANKRUPT SALE.—BY ORDER OF Charles Jones, Esq., Assignee in Bankruptcy of Rectifying Distillery and Vinegar Factory Nos. 35 and 37 Tenmeth-st., Brooklyn, on SATURDAY, Feb. 13, 1869, at 11 o'clock A. M., consisting of barrels, leeches, receivers, vinegar-racks, office furniture, &c. Also, book accounts and notes.

GEORGE COOK, Auctioneer.

FURNITURE, DESKS, CARPETS, &c.—On SATURDAY, at 11 o'clock, at Salesrooms No. 101 Liberty-st., a general assortment of second-hand and new furniture, bedding, carpets, pianos, &c.

U. S. DISTRICT COURT.—IN THE matter of CHARLES A. MORFORD, a bankrupt.

Pursuant to an order of the Court made in the above-entitled matter, I will sell at public auction, by James M. Miller, Auctioneer, at the real estate salesrooms No. 111 Broadway, in the City of New-York, on the 17th day of February, inst., at 1 o'clock in the afternoon of that day, the following debts and other property:

A promissory note of Winchester Britton, dated Sept. 25, 1862, at three months, for $500 00.

A promissory note of Britton & Ely, dated Oct. 1, 1862, at two months, for $243 70.

A promissory note of Catharine E. Conover, dated Oct. 1, 1862, at four months, for $2,432, payable to and indorsed by D. D. Conover and duly protested.

A promissory note of Abel T. Collins, dated Nov. 7, 1862, at three months, for $[illegible], payable to and indorsed by John Dearborn and duly protested.

Two promissory notes of C. R. Woodworth, each for $[illegible], one dated Nov. 5, 1862, at two months, and one dated Dec. 5, 1862, at three months; and with these notes the following collaterals belonging thereto: 3,800 shares of the stock of the Hoosac Slate Company and 4,200 shares of the stock of the Hudson River Slate Company.

A promissory note of Garret D. Clark, dated April 4, 1862, at three months, for $[illegible].

A promissory note of Robert Renfrew, dated Oct. 27, 1860, at sixty days, for $[illegible], and with this note two notes of Robert Renfrew, one dated Nov. 14, 1860, at four months, for $[illegible], and one dated March 22, 1861, due March 30, 1861, for $[illegible], and one dated Feb. 2, 1862, for $[illegible]; and the collateral for the debt of Renfrew, an invoice and bill of lading for a box, dated in 1860.

A promissory note of Oscar C. Ferris, dated Dec. 12, 1862, at one month, for $[illegible], payable to and indorsed by C. R. Woodworth and duly protested; and with this note, 500 shares of the stock of the Hoosac Slate Company, the collateral thereto.

A promissory note of F. Allerman, dated Feb. 2, 1857, at thirty days, for $[illegible].

A promissory note of James Donnelly, dated June [illegible], 1862, at seven months, for $512 [illegible].

A promissory note of Erastus Pike, dated Dec. 5, 1862, at two months, for $155, payable to John Dearborn, and indorsed by him and S. B. Russell and duly protested.

A promissory note of S. B. Russell, dated Oct. 6, 1862, at three months, for $[illegible].

A promissory note of J. Simpson, dated June 13, 1867, at one day, for $[illegible].

A check dated June 1, 1865, for $400, made by Richard Taylor, and indorsed by A. Drake, Jr., and C. Drake & Co., and duly protested.

A check dated Aug. 12, 1861, for $[illegible], made by Thomas Cummings.

A check dated July 3, 1865, for $[illegible], made by William Johnson.

A check dated July [illegible], 1862, for $[illegible], made by J. Johnston, and indorsed by William Johnston and duly protested.

A check dated Feb. 10, 1862, for $[illegible], made by Walter Scott.

A check dated Aug. 17, 1866, for $1,000, made by George G. Mecklem.

A judgment against the Hoosac Slate Company in Supreme Court, Feb. 22, 1867, for $1,[illegible], and with this the note of C. R. Woodworth, dated Dec. 5, 1862, at one month, for $2,000, being a collateral thereto.

A chattel mortgage made by C. R. Woodworth for $[illegible], payable Jan. 1, 1867, … [illegible].

A judgment in Supreme Court, March 7, 1867, against C. R. Woodworth, for $[illegible].

A judgment in the Marine Court, March 2, 1868, against William S. Lyon, for $[illegible].

A judgment in Supreme Court, Jan. 7, 1863, against Edward H. Betts, Thomas Burrough and James H. Lyon, for $[illegible].

Two judgments in Supreme Court against Elias Simmons, one Dec. 26, 1862, for $[illegible], and one Dec. 26, 1862, for $1,002 [illegible].

Two judgments in Supreme Court against Henry Simmons, Sept. 26, 1862, one for $[illegible], and one for $[illegible].

A judgment in Supreme Court against Daniel Fortner for $[illegible], and with this a judgment in Supreme Court against Daniel Fortner and J. K. Wardell for $[illegible], being a collateral to first judgment.

A judgment in Supreme Court against John Ceracke, Dec. 16, 1862, for $[illegible].

A judgment against Catharine N. Sinclair for $[illegible], date and Court unknown.

A judgment in Supreme Court against William Veach for about $[illegible].

Judgments against the following-named persons, the date and Court unknown: William Marsh for $[illegible]; E. Swackhamer, $[illegible]; A. B. Mortley for $[illegible]; Henry Stanton and William G. Chase for $[illegible]; George N. Mott for $1,[illegible]; Andrew Bechus for $[illegible].

Claims in open account against the following persons: James Roebotham for $[illegible]; Frederick Kasten for $[illegible]; C. W. Botton for $[illegible]; Watt & Keating for $[illegible]; A. Simpson for $1,[illegible]; G. G. Mecklem for $[illegible].

A claim against Levi P. Rose, and with it two notes of Thomas W. Birdsall, one dated March 31, 1863, at sixty days, for $2,000, and one dated May 3, 1863, at thirty days, for $1,000, indorsed by Rose and collateral to the claim.

A claim against John Dearborn for $[illegible], and with it two notes, one made by John C. Smith, due April 3, 1864, for $[illegible], one made by Abraham B. Rapelyea, due Feb. 7, 1865, for $[illegible], and a policy in Washington Life Insurance Company, on life of John Dearborn, for $2,000, held as collateral for the claim.

A claim against Evans & Cook for $[illegible], and with it two notes held as collateral for it, one made by William F. Walker, due Aug. 13, 1868, for $[illegible], and one made by J. B. Beach & Co., due Aug. 13, 1868, for $[illegible], both indorsed by Evans & Cook.

A claim against G. R. Ellis for $[illegible], and with it two notes held as collateral for it, one made by M. A. Levy, due Feb. 1, 1867, for $[illegible], and one made by A. F. Levy, Due Feb. 1, 1867, for $[illegible].

Also the following stocks:

6,000 shares of the capital stock of the American Tunnel and Silver Mining Company.

50 shares of the capital stock of the New-York and Philadelphia Petroleum Company.

3,700 shares of the capital stock of the Hoosac Slate Company.

1,[illegible] shares of the capital stock of the Venango and Jersey City Oil and Coal Company.

2,[illegible] shares of the capital stock of the Venango and Mill Creek Oil and Coal Company.

400 shares of the capital stock of the Hudson River Slate Company.

BENJAMIN G. CLARKE, Assignee.

Dated NEW-YORK, Feb. 3, 1869.

SITUATIONS WANTED.

FEMALES.

WANTED—BY A FIRST-CLASS COOK, A situation in a private family; understands all kinds of nice cooking; is an excellent baker and pastry cook; would assist a little with washing if required; has three years' reference from her present employer. Apply at No. [illegible] East 17th-st., between 1st and 2d avs.

WANTED—BY A RESPECTABLE YOUNG woman, a situation as dressmaker; understands all kinds of family sewing on Wheeler & Wilson's or Grover & Baker's machines; is willing to go out by the day, week or month; good City reference. Apply at No. 207 East 26th-st.

WANTED—A SITUATION BY A RESPECTable young woman as good cook, and pastry, bread and biscuit baker; is an excellent laundress and an honest person; best City reference; French or American place preferred. Address MARIA, No. [illegible] 24th-st., top floor, between 1st and 2d avs.

WANTED—A SITUATION BY A PROTESTant young woman as seamstress; would go out by the day or week or month; is a competent hand; has good reference; can operate on Wheeler & Wilson's machine. Call at No. 132 West 20th-st.

WANTED—A SITUATION BY A RESPECTful girl to do the entire cooking, washing and ironing for a private family; is a good cook and baker, and an excellent washer and ironer; has good City reference. Call at No. 155 West 15th-st.

WANTED—A SITUATION BY A THOROUGH and competent operator on Wheeler & Wilson's machine, to go out by the day or week in private families, on all kinds of family sewing; best City references given. Call or address at No. 201 West 28th-st.

WANTED—A SITUATION BY A GIRL AS chambermaid and waitress, or would assist in the washing and ironing; no objection to the country; good reference given. Call for two days at No. 24 7th-st., between 1st and 2d avs.

WANTED—BY A THOROUGH COOK, A situation; makes good bread and biscuit, pastries, games, jellies, &c.; will assist in the washing; unexceptionable references. Call at No. 1,268 Broadway, second floor, between 32d and 33th sts.

WANTED—BY AN EXPERIENCED NURSE, a situation; will take the entire charge of an infant; is a good seamstress; best of City references. Can be seen at No. 1,268 Broadway, second floor, near 33d-st.

WANTED—A SITUATION BY A NEAT and active young woman, with three years' City reference, as chambermaid and waitress; understands washing and the care of silver thoroughly. Call at No. 1,268 Broadway, second floor, near 32d-st.

WANTED—BY A RESPECTABLE GIRL, A situation in a private family; is a good cook, and an excellent washer and ironer. Can be seen at No. 230 West 28th-st., between 7th and 8th avs. The best City reference given.

WANTED—BY A RESPECTABLE PROTESTant girl, a situation as laundress or to do chamberwork and fine washing. Can be seen for two days at No. [illegible] West 26th-st., third floor, front room; has City reference.

WANTED—FOR A PROTESTANT WOMAN, a situation as first-class cook; no objection to assist with the washing; bone, lard, game, pastry, cake, &c.; good City testimonials; City or country. Call at No. [illegible] 6th-av., near 25th-st.

WANTED—A SITUATION FOR A SCOTCH Protestant woman as nurse, and to do plain sewing; can take the charge of an infant from its birth, or growing children; best of City reference. Call at No. [illegible] 6th-av.

WANTED—BY A PROTESTANT YOUNG woman, a situation as good plain cook and baker, and is an excellent washer and ironer; for City or country; City reference. Can be seen for two days at No. 102 East 12th-st.

WANTED—A SITUATION BY A MIDDLE-aged woman as good cook, washer and ironer; wages moderate; City or country; City reference. Call at No. 208 West 27th-st., near 7th-av., first floor.

WANTED—BY AN AMERICAN WOMAN, A situation as cook in a small family. Can be seen for two days at No. 22 West 14th-st. Good City reference given.

WANTED—A SITUATION FOR A GOOD girl as chambermaid and waitress; is kind and willing; can be well recommended from her last place. Call at No. 115 East 8th-st., St. Mark's-place.

WANTED—BY A YOUNG PROTESTANT girl, a situation as chambermaid and plain sewer in a private family. Can be seen, for two days, in her present situation, at No. 14 West 28th-st.

WANTED—A SITUATION AS NURSE, BY a young woman; would take charge of an infant if required; best of references. Apply at No. 54 West 25d-st., between 5th and 6th avs.

WANTED—BY A GERMAN GIRL, A SITUAtion to do general housework, or as cook washer and ironer; best of references. Apply at No. 17 Stanton-st., near Bowery.

WANTED—BY A PROTESTANT GIRL, A situation as chambermaid and plain sewer, or would take care of children; good reference. Apply at No. [illegible] West [illegible]-st., between 8th and 9th avs., in the store.

WANTED—A SITUATION BY A YOUNG woman as chambermaid and laundress; good City reference; no objection to the country. Call for two days at No. 230 West 40th-st.

WANTED—A SITUATION BY A RESPECTAble Protestant woman as wet nurse; has a fresh breast of milk; satisfactory reference. Can be seen for two days at No. 222 East 24th-st.

WANTED—SITUATIONS BY TWO RESpectable girls, one as waitress, the other as chambermaid and do plain sewing. Can be seen for two days at their present employers, No. 10 East [illegible]-st.

WANTED—A SITUATION AS COOK BY A respectable woman; the best of City reference. Can be seen for two days in the rear of No. [illegible] East [illegible]-st.

WANTED—A SITUATION BY A RESPECTable young married woman as wet nurse; best of City reference. Call at No. 340 West 38th-st.

WANTED—BY A PROTESTANT WOMAN, A situation as cook; best of City reference. Can be seen till suited at No. 7 7th-av.

WANTED—BY A RESPECTABLE WOMAN, a situation as chambermaid, who has six years' reference from her last place. Call at 241 West 38th-st.

WANTED—BY A YOUNG LADY, A SITUation as nursery governess or companion to an invalid lady. Address A. D., Box No. 159 Times Office.

WANTED—A SITUATION BY A GOOD GERman girl to do general housework. Call at No. 180 2d-st., first floor, between Avenues A and B.

A YOUNG WOMAN GOING OUT BY the day or the week, wishes one or two more engagements for dressmaking; can cut and fit ladies' and children's dresses in every style, and operate good. Apply at No. 120 West 19th-st.

A RESPECTABLE YOUNG MARRIED woman wishes a baby to wet nurse at her own residence; good reference. Call, for two days, at No. 212 East 24th-st., (new number,) between 1st and 2d avs.

MALES.

WANTED—A SITUATION AS GARDENER by a married man; has a practical knowledge in the various branches of horticulture, having in care hot and cold graperies, greenhouses, pleasure grounds, fruit, flower, vegetable garden, &c.; can give best of references as to character and ability from former employers. For particulars, address A. B., care of James Haggerty, Poughkeepsie, N. Y.

WANTED—A SITUATION BY A MARRIED Scotchman, who has a thorough knowledge of gardening and farming, and has filled some of the most responsible situations in this country; he has been with his present employer for the past three years. For further particulars apply to B., No. 9 John-st., New-York.

WANTED—A SITUATION AS GARDENER by a person possessed of a thorough practical knowledge of the culture of grapevines, green-house plants, fruit trees and vegetables; can produce undoubted testimonials as to character and capacity. Address G. P., Westchester, N. Y.

WANTED—A SITUATION FOR A SCOTCHman with a family on a farm or large grounds; is accustomed to take care of fine stock of all kinds; understands plain gardening, as well as being a good coachman and groom; is reliable every way; refers to his present employer for ten years service. Address GEORGE, Box No. 383 New-York Post Office.

WANTED—BY A MAN AND WIFE WITHout children, situations; the man as good vegetable and fruit gardener; understands the care and treatment of horses and cows; his wife as first-class cook or laundress; good reference if required. Address T. M., Box No. 189 Times Office.

WANTED—A GARDENER'S SITUATION by a married man, who has had long practice; would like a place with some glass on it, and can give entire satisfaction as to ability and character. Address H. L., at seed store No. 376 Broadway.

WANTED—A GARDENER'S SITUATION by a Protestant man; understands all kinds of work on a gentleman's place; can give best City references. Address J. H. T., No. 1,396 3d-av., Yorkville, N. Y.

WANTED—A SITUATION BY A RESPONSIBLE Protestant man as gardener and florist; understands gardening in all its branches; best of reference from his employer. Address J. H., Box No. 210 Times Office.

WANTED—SITUATIONS AS FARMER ON a gentleman's place by an American man and wife, without children; the best of references given. Address E. W. BETTY, Staatsburg, Dutchess County, N. Y.

WANTED—A GARDENER'S SITUATION BY a first-class man, (German, married;) can come well recommended. Address F. [illegible], care of D. N. Barney, Esq., Irvington, N. Y.

WANTED—A SITUATION ON A FARM BY a young man who has had some experience; wishes to learn it thoroughly; best of references; wages no object. Address J. W., No. 116 East 76th-st.

WANTED—BY A PROTESTANT YOUNG man, a situation as porter; best of City references. Address C., Box No. 111 Times Office.

WANTED—A FIRST-CLASS SITUATION AS gardener; married; no family; is a Scotchman; best of reference. Address S. L., No. 87 Nassau-st.

CLERKS AND SALESMEN.

WANTED—BY AN EXPERIENCED YOUNG man, a situation as clerk in a grocery store; good reference. Address G., Box No. 103 Times Office.

DENTISTRY.

COLTON DENTAL ASSOCIATION originated the anæsthetic use of nitrous oxide gas, administer it in the most approved manner, do nothing but extract teeth, and they certainly do that without pain, so 25,000 patients testify. See their signatures at the office, No. 19 Cooper Institute.

FURNITURE.

WARREN WARD & CO., Nos. 75 and 77 Spring-st., corner of Crosby. Established 1850.

Wholesale and Retail Manufacturers of the latest styles of BEDROOM, PARLOR, DINING and LIBRARY FURNITURE, MATTRESSES, SPRING BEDS, &c., &c. Suitable for City and country residences. ALL GOODS WARRANTED AS REPRESENTED.

SHIPPING.

STEAM TO GLASGOW AND DERRY.
THE ANCHOR LINE.
Favorite Clyde-built Steamers, not limited to sail.
EVERY SATURDAY
From Pier No. 20 North River, 12 o'clock, noon.
EUROPA.....Feb. 13 CALEDONIA.....Mar. 6
UNITED KINGDOM.Feb. 27 BRITANNIA.....Mar. 13
COLUMBIA.....Feb. 27 INDIA.....Mar. 20
RATES OF PASSAGE PAYABLE IN CURRENCY.
Cabins, to Liverpool, Glasgow or Derry, $80 and $90.
Excursion tickets, good for 12 months, $135.
Steerage, to Liverpool or Derry, $30; Intermediate, $35.
Prepaid Certificates from these ports, $27.
Passengers booked to and from Hamburg, Havre, Rotterdam, Antwerp, &c., at very low rates.
Drafts issued payable at any bank in Great Britain and Ireland.
For further information apply at the office, No. 7 Broadway, or at the Company's offices, No. 3 Broadway, New-York. HENDERSON BROTHERS.

SWIFT DIRECT LINE TO FRANCE.
THE GENERAL TRANSATLANTIC COMPANY'S MAIL STEAMSHIPS BETWEEN NEW-YORK AND HAVRE, CALLING AT BREST.
The splendid vessels on this favorite route for the Continent will sail from Pier No. 50 North River as follows:
St. LAURENT.....LEMAIRE.....SATURDAY, Feb. 20
VILLE DE PARIS.SURMONT...SATURDAY, Mar. 6
PEREIRE.....DUCHESNE...SATURDAY, March 20
PRICE OF PASSAGE IN GOLD, (including Wine,)
TO BREST OR HAVRE.
First cabin, $140; second cabin, $90.
TO PARIS.
First cabin, $145; second cabin, $95.
Tickets issued for the return at reduced rates.
Medical attendance free of charge.
American travelers going or returning from the Continent of Europe by taking the steamers of this line, avoid both transit by English railways and the annoyance of crossing the Channel, besides saving time, expense and fatigue.
GEO. MACOMBER, Agent, No. 5 Broadway.

THE BRITISH AND NORTH AMERICAN ROYAL MAIL STEAMSHIPS
BETWEEN NEW-YORK AND LIVERPOOL, VIA HALIFAX, CALLING AT CORK.
SAILING EVERY WEDNESDAY.
CHINA.....Feb. 17 AUSTRALIAN.....Mar. 10
CITY OF NEW-YORK.....Feb. 24 EUROPA.....Mar. 17
ASIA.....Mar. 3 CHINA.....Mar. 24
Passage money payable in gold.
Cabin.....$120 Second Cabin.....$60
Children.....$60 Children.....$40
No steerage passengers.
The owners of these ships will not be responsible for specie or valuables, unless bills of lading having the value therein expressed therein be taken.
Through bills of lading given for Boston, Glasgow, Havre, Antwerp and other ports on the Continent; and for Mediterranean ports.
For freight or passage apply to
E. S. CUNARD, No. 4 Bowling-green, New-York.
LIVERPOOL AND GREAT WESTERN STEAM COMPANY.
FOR LIVERPOOL.
From Pier No. 46 North River, WEDNESDAYS.
MINNESOTA.....Feb. 17 ETNA, M.
NEVADA (new).....Feb. 24 ST. PAUL, M.
COLORADO.....March 3 ST. LOUIS, M.
NEBRASKA.....March 10 HENDRICK HUDSON, M.
Cabin passage, $80 gold; Steerage, $30, currency.
Tickets to bring out passengers from Europe can be obtained here.
For freight or passage apply to
WILLIAMS & GUION, No. 71 Wall-st.
For steerage passage apply to
WILLIAMS & GUION, No. 22 Broadway.

CUNARD LINE OF STEAMERS.
BETWEEN NEW-YORK AND LIVERPOOL, VIA QUEENSTOWN.
FROM NEW-YORK EVERY SATURDAY.
SIBERIA.....Feb. 13 TARIFA.....Mar. 6
ALEPPO.....Feb. 20 TRIPOLI.....Mar. 13
RATES OF PASSAGE FROM NEW-YORK.
Cabin.....$80 Gold. Steerage.....$30 Currency.
Steerage tickets from Liverpool or Queenstown to New-York, $30 currency.
For freight or passage apply at No. 4 Bowling-green.
For steerage passage, No. 111 Broadway, Trinity Building.
E. S. CUNARD.

FOR LIVERPOOL AND QUEENSTOWN.
The Lines of mail steamers are appointed to sail as follows:
CITY OF BALTIMORE.....Saturday, Feb. 13, 8 P. M.
CITY OF NEW-YORK.....Saturday, Feb. 20, 12 M.
ETNA (New Steamer).....Tuesday, Feb. 23, 1 P. M.
And thence every SATURDAY, 12 M., and alternate WEDNESDAY, from Pier No. 45 North River.
RATES OF PASSAGE.
PAYABLE IN GOLD. PAYABLE IN CURRENCY.
First Cabin.....$100 First Cabin.....$80 and $85
To London.....$105 To London.....$85 and $90
To Paris.....$115 To Paris.....$95 and $100
To Hamburg.....$110 To Hamburg.....$90 and $95
St. John's, N. F., by } $40 Halifax, N. S., by } $30
Branch Steamer. } Branch Steamer. }
Passengers also forward to Havre, Hamburg, Bremen, Antwerp, Paris, Vienna, Switzerland, &c., at the lowest rates.
Tickets can be obtained for less money than at other places for persons wishing to send for their friends.
For further information apply at the Company's Offices.
JOHN G. DALE, Agent,
No. 15 Broadway, New-York.

NATIONAL LINE.
THE STEAMSHIP THE QUEEN, GERGAS, Will leave SATURDAY, Feb. 13, at 3 P. M., from Pier No. 47 North River.
Cabin passage, $80 gold, or Guineas.
Steerage passage, $30 currency.
For freight or passage apply at office, No. 8 Bowling-green.
F. W. J. HURST, Agent.

STEAM COMMUNICATION DIRECT BETWEEN NEW-YORK AND NEW-ZEALAND AND AUSTRALIA, VIA PANAMA.
THE PANAMA, NEW-ZEALAND AND AUSTRALIA MAIL STEAMSHIP COMPANY
Will dispatch one of its splendid steamships from Panama every month, sailing from Panama about the 20th, upon the arrival of the mail steamer from Aspinwall. The Pacific Mail Company will dispatch a steamer from Aspinwall on the same day, which will make the necessary connection. Passengers are booked through from New-York to the seven capital cities.
For a special dispatch steamer to the newly discovered gold region of Hokitika.
For further information regarding rates of freight, passage money, &c., &c., apply at the Pacific Mail Steamship Company's office, No. 2 Wall-st.
CHARLES W. WEST, Agent,
No. 2 William-st., New-York.

PACIFIC MAIL STEAMSHIP COMPANY.
PANAMA
THROUGH LINE TO
CALIFORNIA AND CHINA.
Through rates, New-York to San Francisco:
First Cabin.
Outside. Inside. Second Cabin. Steerage.
$275 $250 $150 $70
Steamers of the above line leave Pier No. 4 North River, foot of Canal-st., at 12 o'clock noon,
FOUR TIMES A MONTH,
On 1st, 9th, 16th and 24th,
except when those days fall on Sunday, then the day previous.
One hundred pounds baggage free to each adult. Medicine and attendance free.
Feb. 16—RISING STAR, Capt. King, connecting with GOLDEN AGE, Capt. Farnsworth.
March 1, leaving Feb. 9 connecting with steamer CHINA, leaving San Francisco March 4, 1869, for China and Japan.
For passage tickets and all further information, apply at the Company's ticket office, on the wharf, foot of Canal-st.
H. P. BABY, Agent.

NOTICE TO SHIPPERS BY PACIFIC MAIL STEAMSHIP LINE.
THE STEAMSHIP CONSTELLATION, sailing on TUESDAY, 16th inst., at 3 P. M., freight received until 4 P. M. on MONDAY, 15th inst. The steamer will receive cotton at Quarantine for Southern ports.
For freight or passage apply at office, No. 1 Broadway.
JOHN G. DALE, Agent.

FOR MOBILE,
VIA FERNANDINA & SOUTH.
The Florida Railroad Company will dispatch the side-wheel steamer
ALABAMA, Capt. LEMOUNIER,
ON SATURDAY, Feb. 20, at 4 P. M., from Pier No. 3 North River, foot of Murray-st., New-York, without lighterage at Mobile. Is now receiving. Insurance guaranteed at the end of a half per cent. to Mobile. Through rates and bills of lading given to Montgomery, Selma, Eufaula, and all points in the interior of lower rates than any other line.
This splendid cabin accommodations for passengers during to Florida or the Gulf Ports.
For freight or passage apply to
W. P. PATTERSON, Agent,
No. 126 Chambers-st.

FOR ST. THOMAS AND BRAZIL.
UNITED STATES AND BRAZIL MAIL STEAMSHIP COMPANY.
REGULAR MAIL STEAMERS sailing on the 2nd of every month:
SOUTH AMERICA, Capt. E. L. THELESFAUGH, Feb. 22.
MISSISSIPPI, Capt. GEO. E. SLOCUM, March 22.
MISSOURI, Capt. WM. H. HOWE, April 22.
These splendid steamers sail on schedule time, and call at St. Thomas, Para, Pernambuco, Bahia and Rio de Janeiro, going and returning. For engagements of freight or passage, apply to
WM. P. GARRISON, Agent,
No. 1 Bowling-green, New-York.

FOR NASSAU, N. P.,
UNDER CONTRACT WITH THE BAHAMA GOVERNMENT FOR CARRYING THE ROYAL MAILS.
THE ATLANTIC MAIL STEAMSHIP COMPANY will dispatch the splendid steamship
MORRO CASTLE, Capt. HADDAN, Feb. 20,
at 3 o'clock P. M., precisely, from Pier No. 4 North River, foot of Rector-st. For freight or passage apply to
W. P. GARRISON, Agent,
No. 1 Bowling-green, New-York.

FOR NASSAU, N. P.
UNDER CONTRACT WITH THE BAHAMA GOVERNMENT FOR CARRYING THE ROYAL MAILS.
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at 3 o'clock P. M., precisely, from Pier No. 4 North River, foot of Rector-st. For freight or passage apply to
W. P. GARRISON, Agent,
No. 1 Bowling-green, New-York.

U. S. MAIL TO HAVANA.
ATLANTIC MAIL STEAMSHIP COMPANY.
Sailing regularly every THURSDAY, at 3 o'clock P. M. precisely, from Pier No. 4 North River.
MORRO CASTLE, Capt. H. HADDAN.....Feb. 18
COLUMBIA, Capt. E. VAN SICKLEN.....Mar. 4
For freight or passage apply at office, No. 8 Bowling-green.
H. B. WHEELER, Jr., President,
No. 8 Bowling-green.

FOR NEW-ORLEANS DIRECT,
THE CROMWELL LINE.
Steamships of the line will leave Pier No. 1 North River, at 3 o'clock P. M., as follows:
MARIPOSA.....SATURDAY, Feb. 13
GEO. CROMWELL, Capt. HALL.....SATURDAY, Feb. 20
Freight taken at the lowest rates for St. Louis, Memphis and Cincinnati through rates. No passage, first and second class, or freight shipped on Sundays.
H. B. CROMWELL & CO., No. 86 Wall-st.

FOR HAVANNAH, SEMI-WEEKLY,
BLACK STAR INDEPENDENT LINE.
STEAMSHIP MONTGOMERY.
The fast-sailing steamship MONTGOMERY, will leave Pier No. 12 North River, on SATURDAY, Feb. 13, at 3 P. M.
For freight or passage apply to
E. LOWDEN, Agent, No. 10 Wall-st.
Cabin passage $60.

FOR CHARLESTON, S. C., THE FLORIDA PORTS AND THE SOUTH AND SOUTH-WEST.—REGULAR LINE.—Ste. of the Atlantic and Mississippi Steamship Company.
The steamship MAGNOLIA, Capt. E. Crowell, will be dispatched on THURSDAY, Feb. 18, at 3 P. M., from Pier No. 5 North River. Cabin passage reduced to $20. Through bills of lading to all points on the Southern and Southwestern lines in connection with Davenel & Co.'s forward all goods free of commission.
ARTHUR LEARY, No. 10 Wall-st.
The steamship SARAGOSSA, will sail on the following THURSDAY.

BOARDING AND LODGING.

A SMALL FAMILY LIVING IN A LARGE HOUSE, Madison-ave., would like to take one or two young men to board. Address, stating terms, P. O. Box 4,000.

A PLEASANT ROOM IN ONE OF THE BEST BLOCKS, with or without board, to a gentleman, with the use of Remington's gallery, city, 2d-ave., near Twenty-second-st. Address G. G., WINDSOR, Station F.

PRETTY BY, OPPOSITE THE NEW-YORK HOTEL, a suite of delightful front rooms, with private hall door, to let, with or without board; also, a room in the first-class house, No. 3 Clinton-place, recently changed.

WANTED—THREE ROOMS ON SECOND floor, with board, for a gentleman, wife and daughter; Antwerp, Bremen, or Hamburg; 24th and 7th ave., above 20th-st. Address, stating particulars, W. O. H., Box No. 4,292 Post-Office.

AT NO. 14 8TH-ST., BETWEEN 5TH-AV. and University-place.—A large front room, with Pleasant bedroom; dinner at 6. Restaurant, 1st floor.

NO. 17 EAST 14TH ST., (NEW NO.) Up-stairs, an elegant suite of rooms on second floor front; also, a small room on south side, third floor, House first-class.

A GENTLEMAN AND HIS WIFE OR one or two gentlemen, can find a comfortable home with private family in their own house; Sabbath-school; house protected; No. 128 East 15th-st.

A PRIVATE FAMILY WILL LET, to a married man, a second-story front room, with bed, adjoining; the best of references required. Inquire at No. 113 East 17th-st.

ROOMS WITH BOARD.—A GENTLEMAN and wife can be accommodated in a strictly private, three-story brown-stone house, near 4th-av. Address, with full name, to Box No. 4,765 Post-Office.

NO. 170 5TH-AV., CORNER OF 22D-ST.—Very and elegantly furnished rooms to let, with private bath of Russian.

AT NO. 918 EAST 14TH-ST.—A LITTLE Church in quiet neighborhood, with board; French spoken.

TO LET—IN A PRIVATE FAMILY, A FURnished room, to a gentleman, with or without board. Call at No. 48 Lexington-ave.

TO LET—AT NO. 7 WEST 37TH-STREET, (Madison-square,) a suite of rooms, with or without board; also one single room.

NO. 147 EAST 18TH-ST.—TO LET, A front room, for a gentleman and wife, or two gentlemen.

BROOKLYN REAL ESTATE.

FOR SALE—IN BROOKLYN—$3,000—AN ELEGANT brick house, with all the modern improvements; 24 feet front, 50 feet deep, with coach-house, stable, &c., &c., in the best locality in the city. Apply to HENRY E. HOOPER, 48 Hicks-st., Brooklyn.

FIRST-CLASS HOUSE FOR SALE.—FOR sale, one of the best built houses in the City, full three stories, brick front, with all the modern improvements, in Lafayette-place, between Fulton and Jefferson streets, convenient to the Fulton-ferry, Navy-yard, Hospital, Fort Greene, Lafayette-avenue and Myrtle-avenue cars, Fulton-ferry and Bedford-avenue cars, Fulton-ferry

WASHINGTON.

(Continued from Third Page.)

league (BINGHAM) when he denounced the views of those who differed with him.

Mr. BINGHAM—I never denounce the views of men at all. I denounce revolution.

Mr. SCHENCK—I beg the gentleman's pardon. I thought he denounced the proceeding as revolutionary.

Mr. BINGHAM—I said the resolution is revolutionary.

Mr. SCHENCK—And the gentleman said some thing about anarchy, in which he scared so much that I could not follow him. I am sorry, for I always admired that speech. [Laughter.] My colleague and others have assumed that the two acts of legislation, the concurrent resolution of last Monday and the joint rules conflict with each other, so that the last passed, in the language of the Speaker, "repeals the other." I hold to no such doctrine. I say that there stands the joint rules covering all the questions that may arise after the certificate is opened, as to what is in it, while the concurrent resolution stops short of all that and merely deals with the preliminary question, whether or not we should transmit ourselves as the question, "whether Georgia is or is not entitled to representation, and entitled to have electors for President and Vice-President." The two, so far from being irreconcilable, can exist and be sustained without one being regarded as conflicting with or operating as a repeal of the other. Mr. SCHENCK developed this idea at considerable length, and reviewed the proceedings of yesterday down to the point where the presiding officer announced that the election of the gentleman from Massachusetts was overruled. The Senate and gentlemen wonder, he continued, that any of us should conclude that in any former language whatever, it is proper to consider this decision an invasion of the rights of the House of Representatives. If it be not an invasion of the rights of the House, then we are the merest ornamental appendage to this proceeding of counting the votes that ever one body was made to when deliberately assembled on another. It was an attempt to crush down all the rights and immunities of the House of Representatives in the solemn procedure of counting the votes. We have often heard from our worthy Speaker about the propriety of standing up by the rights of the common of the representatives of the people. I think him a good and a good saying on that subject. It is life, and women has life, in the House of Representatives, under the Constitution, under your joint rules, under any circumstances, to come here and assist at the opening of the votes, if the Senate, through its presiding officer, might not body come in if the two bodies separated on any question, and say that on second thought they had agreed to a verdict to which was proposed by the House or by any member of the House, and that there was no appeal from it, no question about it, and no record made of it. In my place, as a representative of the people, I do not stand ready to submit to such. I will not sanction by my presence, any such interpretation of law which takes away all powers, all privileges, all, even of the pure rights and duties that are to be exercised by the House of Representatives in attending to see that that solemn ceremony is completed according to the terms of the Constitution, as prescribed by law. The reporter of the Associated Press says that the speaker made a timely interposition in threatening with arrest members of the House for disorder when they expressed somewhat too excitedly, perhaps, their feelings of indignation, generally felt by them at the appearance of being trampled down and thrust out of their rights. How came the Speaker to make that order? I thought we were in joint meeting of the two Houses with the President of the Senate as the presiding officer; and with due deference to the Speaker and his powers, I hold that the gavel was not properly in his hands. I hold that the order of arrest, unless under some general claim as a peace officer whose jurisdiction extends over us, might not to have threatened to, and I can only account for the Speaker's doing so by supposing that, like many others, he thought of us, he was excited by the unusual confusion and the warm feeling of the occasion.

Mr. Speaker COLFAX, from his place on the floor—Will the gentleman from Ohio yield to me?

Mr. SCHENCK—Certainly.

Mr. COLFAX—I did not intend to participate any further in this discussion, having stated my views to the House last evening, when my official conduct was arraigned, as it is now arraigned by the gentleman from Ohio. The Speaker of the House feels that it is the right of every Representative to arraign him if he disagrees with him as to the performance of his duty in the case alluded to. The Speaker performed his duty, and would have been derelict if he had not performed it. He would have been subject to the censure of the House if he had not interposed at the time he did interpose to check the scene that was then transpiring. The Speaker reads from the twenty-second rule: "It shall be the duty of the Sergeant-at-Arms to attend the House in its sittings to aid in the enforcement of order under the direction of the Speaker." The gentleman from Ohio has, for half an hour, insisted that the House of Representatives, under the Constitution, was in session in this hall yesterday. It was a House of Representatives with a Speaker. The twenty-second rule requires that the Speaker shall sit at the place of authority.

Mr. BUTLER, of Massachusetts, rose in his place.

Mr. COLFAX—I do not yield to the gentleman from Massachusetts. I have my colloquy with the gentleman from Ohio.

Mr. BUTLER—I did not ask you, Sir.

Mr. COLFAX—The Speaker is to sit by the side of the Presiding Officer in Joint Convention; but he is no less the Speaker of the House of Representatives in the time. He is charged with the maintenance of order. When the House is in session this rule is mandatory. If there was no House of Representatives here yesterday, then the Speaker exceeded his authority; if there was a House of Representatives here yesterday, then he performed his duty in endeavoring to command the order that had been violated by the refusal to obey the order of him who was sitting over the Joint Convention. The Constitution states distinctly, in article 12, that the President of the Senate, shall, in the presence of the Senate and the House of Representatives, open the certificates; the House must be a House of Representatives there; there was a House of Representatives there; there was a Speaker there; there was a Sergeant-at-Arms there. They were not orphans; they had duties devolving upon them. Let me ask, further, if this order exists in the Joint Convention, who is to perform the duty of preserving order? If the Sergeant-at-Arms of the Senate had ordered the Sergeant-at-Arms of the Senate to enforce the rules of order upon members of the House of Representatives, the excitement would have been redoubled. It would have been said that he had not privilege to order his Sergeant-at-Arms to enforce order on members of the House of Representatives in their own hall. But under the twenty-second rule there was an officer to enforce order, and he shrinks not from the performance of his duty, and for that he is subject, as for all his official acts, to the censure of this House.

Mr. SCHENCK—I have not the slightest idea of proposing the censure of the Speaker. I think he was excited, like the rest of us.

Mr. COLFAX—He was not.

Mr. SCHENCK—There is only a difference of opinion about that. I thought it might be acquitted of any intention to arraign or impugn the motives of the Speaker. He owes it to me to feel that I have no such feelings and no such purpose; that I have too much respect and too much regard for him to think of it. If there be any difference of opinion, it is the appearance of being trampled down and thrust out of the Hall. How came the Speaker to make that order? I thought we were in joint meeting of the two Houses with the President of the Senate as the presiding officer; and with due deference to the Speaker and his powers, I hold that the gavel was not properly in his hands. I hold that the order of arrest, unless under some general claim as a peace officer whose jurisdiction extends over us, might not to have threatened to, and I can only account for the Speaker's doing so by supposing that, like many others, he thought of us, he was excited by the unusual confusion and the warm feeling of the occasion.

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Mr. COLFAX—I do not yield to the gentleman from Massachusetts. I have my colloquy with the gentleman from Ohio.

Mr. BUTLER—I did not ask you, Sir.

Mr. COLFAX—The Speaker is to sit by the side of the Presiding Officer in Joint Convention; but he is no less the Speaker of the House of Representatives in the time. He is charged with the maintenance of order. When the House is in session this rule is mandatory. If there was no House of Representatives here yesterday, then the Speaker exceeded his authority; if there was a House of Representatives here yesterday, then he performed his duty in endeavoring to command the order that had been violated by the refusal to obey the order of him who was sitting over the Joint Convention. The Constitution states distinctly, in article 12, that the President of the Senate, shall, in the presence of the Senate and the House of Representatives, open the certificates; the House must be a House of Representatives there; there was a House of Representatives there; there was a Speaker there; there was a Sergeant-at-Arms there. They were not orphans; they had duties devolving upon them. Let me ask, further, if this order exists in the Joint Convention, who is to perform the duty of preserving order? If the President of the Senate had ordered the Sergeant-at-Arms of the Senate to enforce the rules of order upon members of the House of Representatives, the excitement would have been redoubled. It would have been said that he had not privilege to order his Sergeant-at-Arms to enforce order on members of the House of Representatives in their own hall. But under the twenty-second rule there was an officer to enforce order, and he shrinks not from the performance of his duty, and for that he is subject, as for all his official acts, to the censure of this House.

Mr. SCHENCK—I have not the slightest idea of proposing the censure of the Speaker. I think he was excited, like the rest of us.

Mr. COLFAX—He was not.

Mr. SCHENCK—There is only a difference of opinion about that. I thought it might be acquitted of any intention to arraign or impugn the motives of the Speaker. He owes it to me to feel that I have no such feelings and no such purpose; that I have too much respect and too much regard for him to think of it. If there be any difference of opinion, it is the appearance of being trampled down and thrust out of the Hall. How came the Speaker to make that order? I thought we were in joint meeting of the two Houses with the President of the Senate as the presiding officer; and with due deference to the Speaker and his powers, I hold that the gavel was not properly in his hands. I hold that the order of arrest, unless under some general claim as a peace officer whose jurisdiction extends over us, might not to have threatened to, and I can only account for the Speaker's doing so by supposing that, like many others, he thought of us, he was excited by the unusual confusion and the warm feeling of the occasion.

Mr. COLFAX—The gentleman from Ohio quotes what the Speaker ruled in the House of Representatives, that he could not review the ruling of the President of the Senate while presiding in the Joint Convention. The Speaker adheres to that ruling to-day. There is, however, some difference apparent between the gentleman from Ohio and myself as to the construction of language. There is an order in the twenty-second rule which I will again read: "It shall be the duty of the Sergeant-at-Arms to attend the House during its sitting." The question is whether, under the Constitution, the House was here yesterday. I insist that the House was here. I insist that it was sitting. More than the law commands that the House of Representatives and the Senate shall be in session on the second Wednesday in February. It provides also that the Sergeant-at-Arms shall attend the House during its sittings to aid in the enforcement of order under the direction of the Speaker. He could not do it under the direction of the President of the Senate. The rule would not allow him to do so. He would forfeit his office if he obeyed the order of the President of the Senate, for the rule says "he shall be under the direction of the Speaker," and no one else. Again I ask the gentleman from Ohio, if he do not want him to escape this point by any legal argument, how order was to have been maintained? Would he have asked the President of the Senate to command the Sergeant-at-Arms of the Senate to arrest members of the House of Representatives? Could the President of the Senate have commanded the Sergeant-at-Arms of the House to arrest a Representative? He could not. He had no power to do it. The Sergeant-at-Arms would not have obeyed promptly but the Speaker in the room, and, if he had, they may have had here always. Do they get any more Halls because, down there, they take the use of our Hall? Do they get any more Halls and stick, or can they come in our Hall and stick? Clearly not. We are, forsooth, coequal—no, I take that back, for there is no power that is the equal of the Representatives of the people assembled in their legislative capacity. There is no man who has greater love, greater respect, or greater veneration for old BEN WADE than I have. That man sitting there by himself and of himself would never attempt to take away the rights of this House or of any human being. But it was because he was acting under a pernicious resolution, which was passed—how? Parliamentary courtesy will not allow me to say that he acted as he did. Do you know that to-day the Senate of the United States has entertained a resolution to censure one of your members? Do you know who that man was? I think they will have a good time doing it. [Laughter.]

Mr. BUTLER—I by no means censure the Senate. I am censuring the action that was done here. I do not take that back. I only say that I do not believe Mr. WADE did it. He was the mouthpiece of somebody. Parliamentary courtesy forbids my saying who, and I would not say it. I want to call attention to the resolutions, which I have modified and sent to the Chair, and I ask that they may be read.

The resolutions were read as follows:

Resolved, That the House protests against the manner of procedure and the order of the President of the Senate pro tem., in the presence of the two Houses, in counting the vote of Georgia in obedience to the order of the Senate only, and against the act dissolving the Convention of the two Houses at his own will, as an invasion of the rights and privileges of this House.

Resolved, That the above resolution be and hereby is referred to a Select Committee of five, with leave to report at any time, and to report by bill or otherwise.

Mr. BUTLER concluded as follows: If this Committee can devise legislation which shall save us from the recurrence of this hour of future peril, then I shall have deserved well in my own conscience and my own breast whatever meed of praise or dispraise may be accorded me by others, and there will have arisen out of the spirit of hell a great good.

Mr. BINGHAM occupied the three minutes that were left before the time for taking a vote, and then, at 4:30, the House took a recess until 7:30.

EVENING SESSION.

The House met again at 7:30, and proceeded to dispose of private bills reported from the Committee on Invalid Pensions, after which the House adjourned.

The debate on the question of privilege is to be continued to-morrow.

FUNERAL OF JAMES T. BRADY.

Impressive Ceremonies at St. Patrick's Cathedral—Funeral Oration by Rev. Dr. McGlynn.

The obsequies of JAMES T. BRADY, which took place at St. Patrick's Cathedral, yesterday, drew thither an immense concourse of people of both sexes and of all conditions of life. No better tribute can be paid to the memory of the eminent advocate than was yesterday given, in the fact that among the thousands who assisted in the last sad rites were numbers of the poor, who, time and again, have been the recipients of his unostentatious charity. These shed their tears and mingled their regrets over the remains of their departed friend and benefactor in common with the brightest luminaries of the Bar and eminent members of the Bench, who were his personal friends as well as his professional brethren. Citizens of high and low degree were there, and upon every countenance there was a look of subdued and silent sorrow that plainly evinced the grief felt by the vast multitude who watched with anxious interest the solemn ceremonials of the melancholy occasion. The funeral services began at 11 o'clock, but long before that hour crowds of people gathered in front of the Cathedral in Mott-street, as well as in Prince and Mulberry streets, awaiting the opening of the doors. The members of the Bar assembled at the late residence of Mr. BRADY, No. 124 West Twenty-third-street, at 9 A. M., and, after taking a last look at the remains, accompanied the mourners who followed the corpse to the Cathedral. At 11 o'clock, the relatives, his sisters, Miss SUSANNAH BRADY, Mrs. NATHANIEL T. JARVIS, Jr., Mrs. LAKE, Mrs. MOORE, and their families, arrived, and took the seats reserved for them on the right of the centre aisle, immediately in front of the grand altar. The side doors of the Cathedral were then thrown open, and the anxiously-waiting multitude soon filled the seats in the side aisles. Shortly afterward the corpse was borne in procession through the main entrance, and down the centre aisle of the edifice, the organ meanwhile sending forth a dirge as a fitting accompaniment to the "solemn step and slow" of the mourners. A catafalque, covered with sable velvet, and fringed with silver lace, had been placed at the head of the aisle, and on this the remains were deposited, large lighted tapers being ranged on either side of the corpse. The altar front was draped in black, and sables were also pendant from the pulpit. The burial case was a metallic one, handsomely polished, grained in imitation of rosewood, and heavily mounted with silver. The silver plate on the lid bore the following inscription:

JAMES T. BRADY,
BORN FEB. 9, 1809,
AGED 59 YEARS, 10 MONTHS.

Loving hands had prepared wreaths, crowns and crosses of immortelles, which were placed upon the coffin, and a harp of asmelias also shone out against the sombre hangings of the catafalque. The pall-bearers were: Hon. Judges Ingraham, Daly, Barbour and Alker, Mayor A. Oakey Hall, Charles O'Conor and Clarence Seward, Esqs., Prof. R. Ogden Doremus, James Maurice, Esq., (Ex-Member of Congress and former law partner of Mr. Brady), and Capt. Nathaniel Jarvis, Sr.

The principal mourners were: Hon. Judge John H. Brady (deceased's brother) and Peter R. Sweeney, City Chamberlain. Among the prominent gentlemen present were: Wm. C. Traphagen, (Mr. Brady's present law partner), Counselors David D. Field, Chauncey Shaffer, John Graham, John McKeon, John H. Mitchell, Richard O'Gorman, Denis McMahon, Thos. J. Dumphy, Judges Cardozo, Sutherland, Bischoff, Friedman, Pittman, Cardozo, Sedgwick, Barrett, Curtis, Monell, Gunning S. Bedford, Jr., Recorder Hackett, Ex-Judges Bosworth, Peabody, J. R. Whiting, Ex-Recorder James M. Smith, Justices Dowling, Ledwith, Shandley, Sandford, Sanderson and Hogan; Senator Casserly of California; Gen. Wm. E. Robinson, M. C.; Hon. James B. Nicholas, Richard L. Larremore, President of the Board of Education; Luther R. Marsh, Waldo Hutchings, Gen. Daniel E. Sickles, Geo. W. Matsell, Street Commissioner Shand, Police Commissioner Brennan, Sheriff O'Brien, Rev. Hugh Brady, Jas. W. Gerrard; Ex-Sheriffs Lynch and Kelly; Barney Williams, Wm. J. Florence, John Brougham, Louis A. Gaschetti, (Mr. Brady's physician,) and a host of other gentlemen from the various walks of life. One-half of the seats on either side of the centre aisle were reserved for members of the legal profession and Mr. BRADY's intimate friends. When the remains had been placed, amid the catafalque, a procession of ecclesiastics and acolytes, headed by the processional cross-bearer, came from the vestry and ranged themselves around the bier. The Mass for the dead followed by the priests, who were to officiate in the solemn mass of requiem, in their sacerdotal robes, viz.: Celebrant, Rev. THOMAS DUCEY, of the Church of the Nativity, Second-avenue; Deacon, Rev. Father MOGRAN; and Sub-Deacon, Rev. Dr. McSWEENEY, Master of Ceremonies, Rev. Father KEARNEY, of St. Peter's, and others of the clergy of the Cathedral. After these came Archbishop McCLOSKEY, accompanied by Very Rev. Father STARRS, Vicar-General of the Arch-diocese, Rev. Father MINIERESY, Secretary to the Archbishop, Rev. Dr. MOGLYNN, Pastor of St. Stephen's, and many others of the clergy. The celebrant and his assistants having arrived at the foot of the altar, the mass was sung again, and, at the same time, the mournful strains of Beethoven's grand requiem in E minor, pealed forth from organ and choir. This grand production was given entire, and as its solemn cadences floated along the vaulted arches and down aisle, they riveted the attention of the vast congregation assembled within the Cathedral.

When the mass was concluded, Rev. Dr. McGLYNN, of St. Stephen's, came forward and read the epistle which had been chanted at the mass: "Brethren, I would not have you to be ignorant concerning those who sleep," &c. These words, said the reverend gentleman, were addressed to the first generation of Christians, and they were intended to warn them not to grieve for their loved and lost ones as the Pagans grieved; but, on the contrary, to sorrow as having hope of the immortality of those who had gone before. With the Pagans the dark portals of the grave shut out forever all communion with the dead, but the Christian dispensation admits no such sorrowful and disheartening conclusion. Our Saviour had "Redeemer" came on earth to teach the world the true philosophy of dying, to acquaint mankind with the fact that in passing through it the righteous soul enters upon an eternity of bliss, and awakes in everlasting glory and the enjoyment of the beatific vision of God. The Apostle learned this lesson well from His sacred lips, and in accordance with it they spoke of these dead as do. Paul speaks of them in the epistle, as having fallen asleep, awaiting through the darkness of the night of the tomb that glorious awakening the day is to come with the resurrection morn. Probably the Apostle had in view the idea expressed in the inscription on a Pagan tomb, wherein the mother mourns the gulf her having taken from her the child of her bosom; and it may have been for this reason that he spoke as he then in the epistle to the Thessalonians, where he exhorts the Christians not to sorrow either for their dead, and he says as the Christians exhibited that we should not grieve as those having no hope. It is no part of Christian religion to forbid all grief; but to temper it with an abiding hope in God's mercy and goodness, that if our friends shall have passed from the sorrows of earth, they have thereby attained, or made steps toward the attainment of an eternity of happiness in the kingdom of God himself. This is the Christian long-hope, and it is the teaching of the Church. God, who made us, comes in the fullness of time to redeem us. He has implanted within us hearts that are susceptible of the deepest affection and the most poignant sorrow; and we know from Holy Scripture that even Jesus Christ himself shed tears over the grave of Lazarus, and his tears were meant to show to us that they were, shining through the dim vista of the future, the bright rays of a glorious resurrection. He would ask them, then, to grieve in this Christian spirit over the bier of their departed friend, who, though but a few days since in the flush of life and ardently pursuing the duties of an honorable avocation, now lay before them clasped in the cold embrace of death. He asked to be permitted to mingle his sorrow with theirs, for their departed friend was his friend also. He should not forbid such grief; indeed, he might say something that would stimulate it for the moment, and show how great is the loss that they had all sustained. It would not benefit the sad and mournful occasion; it would not befit him as a priest of the Church of God to indulge in the language of flattery. The Church is no flatterer, for she knows, as we all know, that the good works of the best of us are but poor and meagre in comparison to what we ought to do when we consider the greatness of God and his manifestations of love and mercy toward us. But because of our belief that he is a God of goodness as well as justice, we hope for the exercise of His mercy toward us all, and that, though the soul go out of this world with venial stains upon it, still it may not be eternally driven from the beatitude of Heaven. We believe that the gate of death is not entirely separate as it relates to those whom we have known and loved in life, but that through the infinite mercy of God, we may be enabled to assist the faithful departed by our prayers and supplications in their behalf; that we may, as it were, offer a holy violence to Heaven, and beseech of Almighty God that the dead may be loosed from their sins. It is a consoling to know that this doctrine of the Church was the doctrine of him who now lay before them; that in his teaching of prayer for the dead he was a firm and ardent believer. As illustrative of this fact, he would state that he had heard from the lips of this deceased the incident related in this belief. Once, when at sea, the vessel was overtaken by a storm, and so severe was the tempest that the bravest on board had fears that shipwreck would be the result. A legal friend, who was his fellow-passenger, remarked to him that he was surprised that the calmness he exhibited when the danger was most imminent astonished himself and every one on board. To this Mr. BRADY replied: "My dear Sir, the difference between you and me in that respect is just this: I know that I have a Church at my back, and, if Providence pleases that I should die, I know that the prayers of 100,000 of my fellows will ascend to Heaven in my behalf." Animated as he was by this faith, we have reason to hope that he has fallen asleep, and, acting in accordance with this hope, we will supplicate the Divine mercy in his behalf. The Church teaches us, and common sense verifies the teaching, that nothing defiled can enter Heaven; that it would be revolting to believe that because of venial stains upon the soul, caused by our poor human frailty, we are to be entirely shut out from the presence of God. While the Church is fallow to believe that even the most holy of us are divested of Heaven, yet, on the more, show to believe that venial sins, which owing to man's imperfection, we all commit, will cause our eternal condemnation. She teaches, therefore, that there is a middle state of purgation, in which the soul may be cleansed from minor sins, by the purifying fires of greater weight, and be made fit to enter upon the beatific vision. We are free to imagine that the disembodied spirit would shrink from the presence of God until it is purged by tears and penance from its sins, and that this become worthy to bask in the eternal sunshine of God's love. The Church is a good mother; she has children at the portal of the grave, but follows them beyond it, until she leads them into the presence of God. It is for this reason that she sends up from every part of the world the supplication "May they rest in peace." Another instance of the firm belief of the sentiment contained in Catholic doctrine was this. He (the Speaker) had it from his own lips. When the obsequies of the lamented Dr. CUMMINGS, the late pastor of St. Stephen's Church, were taking place, Mr. BRADY was present, and in conversing with the speaker relative to the impressive ceremonies, he remarked: "If, as I hold the body of the priest of God being borne down the aisle of his own church between two lines of white-robed priests, with lighted tapers in their hands, I said to myself, if that is not the road to Heaven, then I never knew where I go when I die." Such was the faith that he expressed, and let us, who hold it in common with him, offer up our prayers for his behalf. The speaker entered into an eulogium of the deceased, as a man of the highest order of intellect, of poetic soul, and of almost prodigal charity. In his case nature did not intermarry with fortune. She gave him a face that might well be the envy of the world, and an eloquence that entranced all who listened to him. That grand and versatile intellect was such that even eminent men in other professions envied him. Physicians stood amazed at the new light which flashed among them whenever he delivered a medical jurisprudence lecture. The profession in the pursuit of his calling. Clergymen who heard him speak of the grandeur and glories of the Church of his birth and preference, felt that he would have adorned any pulpit he might have been called to fill; while his brethren of the legal profession who were present in Court, including Supreme Judges of the land, eminent for their great learning and judicial lore, as well as members distinguished in the National Legislature, showed by their presence around his bier that the high estimation in which he was held. "Take him up tenderly," they said to the presiding officer, "and bear him to his rest, and let us hope, as St. Paul teaches us to hope, that, having fallen asleep, he will awake to a glorious resurrection. Let the mantle of charity cover his faults, and let our earnest prayer be, 'May his soul and the souls of all the faithful departed rest in peace. Amen.'"

At the close of the sermon the Archbishop administered the final absolution, incensing and aspersing the remains, and the corpse was borne to the Brady family vault underneath the Cathedral. The funeral service was conducted by Prof. A. HOCH, who presided at the organ. The solos were by Mme. CROSBY, soprano; Mme. WEBER, alto; HENRY SCHMITZ, tenor, and Herr SORBY, bass.

THE LABOR MOVEMENT.

The Printers' Strike—Meeting of the Sailors—The Clothing Cutters.

The journeymen book and job printers on strike met yesterday, as usual, in secret meeting, at No. 42 East Broadway. But little transpired beyond routine business. A meeting will be held there to-night for the purpose of organizing a co-operative printing society, the capital stock to be $20,000, and the shares $10 each. Notwithstanding the success of a similar association at No. 166 William-street, which has been nearly two years in operation, many employers have no faith in its endurance, and still less in the present effort. They consider that being journeymen, and unaccustomed to the management of business, they will ultimately fail. The men, however, have no such anticipations, and feel that in co-operation alone can any workers for wages obtain a full remuneration for their labor. By this the profits now accruing to an employer will be divided among those who bear the brunt of the toil.

CLOTHING CUTTERS' STRIKE.

The clothing cutters on strike met again last evening, at their headquarters, No. 10 Stanton-street. The addition of two more sweating houses was reported as having given their adhesion to the new scale of $24 wages instead of $20 and $22. These were FECHEIMER & Co. and ROSS & COHN. The forty-two cutters of the firm of BROWNING & CO. were reported on strike from Jas. A. Co.; DESBARES & STRAUS from those of STARKS & Co. A resolution was passed requesting a resolution of Tuesday evening, to the effect that Mr. WM. C. BROWNING had visited a number of employers, and urged them not to pay the advanced rates. It was explained that the contrary was the case, and that several employers had called on Mr. BROWNING with a similar mission. Parties were then detailed to watch the different establishments where men were on strike, in order to see that no members of the Union were surreptitiously to work at any of STURGES & Co. went yesterday to the shop of YOUNG & CO. and endeavored to draw away some of the men by a promise of employment the entire year at $22 per week. He was unsuccessful. It was asserted that the hands of YOUNG & CO. had organized and joined the Union, and would strike the moment they were ordered to do so by the President. An adjournment took place until this evening.

SAILORS' MEETING.

The sailors had a meeting yesterday evening at Rotanic Hall, Capt. JAMES H. CHURCH in the chair. They proceeded first to the election of permanent officers for the association. The result of the election was as follows: President, Capt. C. O. DUNCAN; Vice-President, KENNY COURTLAND; Treasurer, Mr. Moses B. BEACH; Secretary, Dr. THOMAS; Directors, Capt. NATHANIEL EVERIGG, Capt. M. W. JOHNSON, Capt. BLAKE. The name "American Mariners' Self-Protective and Mutual Aid Association," was adopted. Capt. DUNCAN, Capt. Burnes and Mr. BEACH were elected a committee to draw up a constitution and by-laws.

Rev. Dr. LOOMIS, President of the Seamen's Friend Society, addressed the meeting, expressing his interest in the Association because it was originated by the sailors themselves, and was conducted by the best class among them. The sailor, he said, had been too much in the power of boarding-house keepers and shipping masters. The speaker did not wish to say anything against these men as a class, but some of them abuse their positions. What the sailor needs is to deal directly with the ship-owners. [Cries of "That's so."] A good reading-room will be a meeting place for sailors, where they will find friends and occupation. The officers closed saw let the right work. Let the officers throughout the collegiate of the sailors. Another speaker urged the necessity of union, and dwelt earnestly on the necessity of sailors, eliciting frequent applause. He also exhorted his hearers to keep sober, as the best means to defeat the efforts of their enemies.

Mr. LEMUEL, spoke of the sufferings of those who had been from joining the Society, and it was in a flourishing condition. He said that the Society had already saved a good many of its members from paying blood-money. He then alluded to the necessity of frequent meetings to keep the Society working, because the old members are constantly going to sea; and he urged those present to exert themselves to bring in as many new men as possible.

The Chairman stated that Capt. SAMUELS had arranged that all the pilot and tug-boats should carry circulars to inform the sailors of incoming vessels of the existence of the Society and of its nature. Dr. LOOMIS spoke of the uneasiness of boarding-house keepers and shipping-masters as a good omen.

A sailor told how, some weeks ago, he was obliged to take the last $5 from his wife and children to pay as "blood money" to get a chance to ship. Another told how he had to give a meerschaum pipe to a shipping master too conscientious to demand money.

Dr. LOOMIS suggested that some retired sailors living in the City should join the Society, and act as a standing committee to cooperate with the officers. The suggestion was acted on, several such persons coming forward at once to join the roll. Some other new names were added, and the meeting was then adjourned, subject to the call of the President.

DEFIANCE OF THE LAW.

Audacious Proceedings of the Criminal Class—Desperate Efforts to Defeat the Laws—The Renewed Formation of Vigilance Committees.

The thieves and ruffians of the Metropolis seem to have grown desperate over the stern and summary measures which the Courts have taken, of late, for the punishment of offenders and the suppression of crime. Sentences of from five to forty years' imprisonment have caused a fierce determination on the part of the criminal classes to shield themselves from the just vengeance of the law, by any means, and at any cost. The frightful extent to which the City is placed under the control of these ruffians was striking illustrated in the open threats of violence which were delivered by the notorious "Nineteenth-street gang" against any one who would dare testify on behalf of the prosecution of the murderer REAL, who was a member of that band of outlaws. These threats, fortunately for the ends of justice, were not heeded by the faithful witnesses upon whose clear and positive testimony conviction was so easily reached, but the friends of the condemned man swear that they will yet be revenged upon the Police officers, especially if REAL is hanged. The jurors who decided the cowardly assassin's fate were also threatened in advance, and, it is said, because of the terrible intimidations made against them, they recommended the guilty man to the mercy of the Court. One of the jurors, who was bold enough at first to declare that he would not be "influenced by any threats that might be made, was followed to his home on Wednesday night by a number of the "gang," whose intention it was to take his life, but an officer happening to approach just at the moment when the brutal deed was to have been committed, the juror escaped.

Another instance of the desperation of the criminal classes is to be found in the bold effort which they successfully made on Wednesday, to rescue three of their fraternity from the hands of the boroughers, and this at mid-day, in a crowded thoroughfare, and within sight of the halls of justice. The three men alluded to were CHARLES SMITH, JAMES JONES and THOMAS MOORE, who had just previously been convicted before Recorder HACKETT of burglary, and sentenced to Sing Sing for an aggregate term of nearly fifteen years' imprisonment. The convicts were subsequently handcuffed together and placed in charge of THOMAS JACKSON, one of the Court officers, for the purpose of taking them to Old Tombs. The officer followed his prisoners to the corner of Centre-street and Duane-street, when JACKSON states he observed that they had a large crowd of men, all evidently friendly to the three convicts, who were lavish in their display of knives and pistols, at the same time using threatening language toward him. MOORE then slipped his hand from the handcuff and ran off. JACKSON ordered the Officer in charge of some citizens and started in pursuit of the rascal, who was joined by Detective DUREN, of the Sixth Ward, and through the intervention of Assistant Alderman LYNAGHT, MOORE was overtaken and recovered. In the meantime, the two citizens having temporarily in custody of the other convicts allowed them to go free, as they were intimidated by the mob which gathered around them.

The rescue of those desperadoes was the subject of comment in the Court of General Sessions yesterday, by Recorder HACKETT, who said:

"It is proper that I should officially call the notice of this Court to the fact that the prisoners who were rescued yesterday in the City Hall were convicted in the state Prisons, one for four years and nine months and the other for five years, and that on their return to the City Prisons, under sentence, that at the time they were three prisoners in the charge of one officer. I do not think, from what I have heard, that the officer had any culpability in the matter of their escape. Immediately upon the news being received of their escape, Ex-Capt. JOURDAN, who was then in charge of the office, had every exertion afterward, by immediately informing him of the fugitives, in Franklin-street, and that two men and his efforts during the evening show that he was a faithful officer, and that he was free from any culpability or neglect on his part. He was, in fact, overpowered by a gang of thieves, who surrounded him. If the law does not, therefore, to take the place of Capt. JOURDAN, who is an exceedingly vigilant officer, in fact, having no superior in the Office, and through whose exertions these men were brought to justice, I, as Recorder, will call Capt. JOURDAN in a terror to the burglars and the band robbers of the City, for through his skill more arrests and convictions have been secured, and property of immense value recovered than any other Captain in the force."

Mr. HUTCHINS remarked that he had no doubt if the Recorder and his associate, Judge BANFORD, requested the Board of Supervisors to furnish vans to convey prisoners to and from the City Prison, that it would be done.

The Recorder directed the Captain of the officers of the Court to see that hereafter only two prisoners shall be placed in charge of one officer in bringing them to and from the Tombs; and further, that the case of MOORE, who escaped and was captured, be sent to the Grand Jury under a special statute for the offense.

The stairways, halls and stoop of the building in which the Court of General Sessions is held, and the sidewalks in the vicinity, were literally thronged yesterday with well-armed thieves, bullies, and doubtless, for the purpose of intimidating witnesses, jurors, and, if possible, to rescue their associates in the event of heavy sentences being imposed. At one time, by actual count, there were more than two hundred of these ruffians present, in and about the building. Capt. JOURDAN, of the Sixth Precinct, in passing, noticed the situation at a glance, and, hurrying back to the station-house, he soon had a squad of officers, who scattered the crowds in a short time.

These startling occurrences of the past day or two have led the public to think seriously of taking matters into their own hands. Last evening it was proposed that Vigilance Committees should be held in various parts of the City, and that Vigilance Committees were actually formed, with instructions to commence work at once.

American Institute—Election of Officers.

The election of officers of the American Institute yesterday resulted as follows:

For President—HORACE GREELEY.
For Vice-Presidents—Dudley S. Gregory, Charles P. Daly, Cyrus E. Lentell.
For Treasurer—George Fugina.
For Corresponding Secretary—Samuel D. Tillman.
For Treasurer—Sylvester H. Comstock.
For Managers of the Fair—William H. Butler, Orson Cowgill, Thomas Hall, William H. Fuller, Charles Hargrave, Hall, Nathan C. Ely, William S. Carpenter, George Simpson, J. Wilson Stanton, Charles E. Hawkes, James Kirk, Geo. Francis Dawson, Thomas Hicks, Samuel D. Tillman, Thomas Butler, Samuel R. Wells, Chas. G. Gimell, Edward Richmond, William R. Pearce, Frank Leslie, Erastus W. Smith, James B. Taylor, Charles N. L. Smith and Joseph R. Lyons.
For Committee on the Admission of Members—Chas. E. Pratt, James H. Drake, John W. Chambers, J. Owen Rouse and Stephen R. Kroe.
For Committee on Awards—Thomas E. Adriance, Thomas Williams, Jr., Charles Cumberson, Simeon Baldwin and J. De Lamater.
For Committee on the Library—James E. Campbell, William Hubbard, Nicholas Pike, Hamilton, H. Towle and George Francis Houghton.
For Committee on the Repository—Lewis Fenwick, Alfred Newell, Nathaniel Wheeler, Frank A. Bristol and H. F. Newton.
For Committee on Manufactures and Machinery—Miles Coryell, Hamilton E. Towle, Thomas D. Stetson, Charles H. Ritchy and Walter Sabriver.
For Committee on Science, Technology and Geology—Charles P. Daly, Dubois D. Fumaine, Julius C. Pohle, F. S. Newberry and John W. Morgan.
For Committee on Optical Science—John R. Rich, John Perry, L. Bradley, Samuel Jackson and P. H. Vander Weyde.
For Committee on Civil Engineering and Architecture—William J. McAlpine, Robert H. Halsted, Lemuel Bishop, Samuel McElroy and Edward T. Hunter.
For Committee on Agriculture—Nathan G. Ely, John Crane, P. T. Quinn, B. Edwards Todd and Josiah H. Mayo.
For Committee on Horticulture—William S. Carpenter, Henry C. Townsend, John Henderson, Isaac Buchanan and James Hogg.

The following were elected Managers: R. G. Spider, Edmund Dwight, J. V. C. Smith, James H. Baldwin and John H. Macy.

The polls were open from 9 o'clock P. M. until 9 P. M., during which time 162 ballots were cast. There was no opposition to the regular tickets, a few names only being scratched.

Polytechnic Branch of the American Institute—The East River Bridge.

At the meeting of this branch of the American Institute, last night, several inventions were exhibited, among them a output aspirator and a glass stove heated with gas. The regular subject of the evening was then taken up—the bridging of the East River. Mr. SAMUEL MCELRACY, civil engineer, presented a plan and read a carefully-prepared and interesting paper giving the details of it, and many data in relation to the tides and currents of the harbor. His plan was to construct a causeway across the River, with a bridge and piers at its centre, thus virtually damming up the East River. He would have the causeway 25 feet above the Navy-yard, with a width of 400 feet, having three streets through it and space for seventy warehouses. The entire cost, including warehouses, he estimated at $6,000,000. He maintained that our harbor would be immensely improved by cutting of the East River outlets, and forming two harbors, by dividing it. He answered all objections to his project, showing a thorough knowledge of the entire subject. Messrs. BEABLEY, VANDERWEYDE, BEIN, FRASLEE, HILL and EMMET participated in